

CITY COUNCIL REGULAR MEETING

Thursday, February 11, 2021 at 7:30 pm

This meeting will be closed to in-person attendance by the public. A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code. Telephonic and videoconferencing capabilities will be utilized to allow individuals to address the Council. Emails may also be submitted.

Members of the public are entitled to participate remotely via Zoom Teleconferencing by one of the following methods:

Join Zoom Meeting

<https://us02web.zoom.us/j/82562236714>

Meeting ID: 825 6223 6714

Passcode: 879682

One tap mobile

+13462487799,,82562236714#,,,,*879682# US (Houston)

Dial by your location

+1 346 248 7799 US (Houston)

Meeting ID: 825 6223 6714

Passcode: 879682

The meeting will be recorded. Members of the public who wish to submit written comments on a listed agenda item must submit their comments by emailing raustin@jonestown.org. Comments must be received before 3:00 p.m., Thursday, February 11, 2021

ITEMS OPENING MEETING

- 1. CALL TO ORDER, ESTABLISH QUORUM, DECLARE MEETING OPEN**
- 2. ANNOUNCEMENTS: ITEMS OF COMMUNITY INTEREST**

3. REPORTS AND UPDATES

a. Boards & Commissions Quarterly Reports:

- Library Advisory Board

b. Council Committee reports:

- Finance Committee
- Planning & Economic Development Committee
- Public Works Committee
- Public Safety Committee
- Parks & Events Committee

4. CITIZENS COMMUNICATION

In accordance with the Open Meetings Act, Council is prohibited from discussing (other than factual responses to specific questions) or acting on any items brought before them at this time.

GENERAL BUSINESS AND ACTION ITEMS

CONSENT AGENDA ITEMS:

The Consent Agenda includes routine and non-controversial items that may be acted upon with one single vote. There will be no separate discussion of these items; however, Any Councilmember may request an item be pulled from the Consent Agenda in order that it be discussed and acted upon individually as part of the Regular Agenda.

5. APPROVAL OF MINUTES

January 14, 2021, regular meeting

- 6. Consideration and possible action to adopt a resolution appointing (or reappointing) qualified individuals to serve on the Board of Adjustments and Appeals.**
- 7. Consideration and possible action to adopt a resolution appointing (or reappointing) qualified individuals to serve on the Jonestown Planning & Zoning Commission.**
- 8. Consideration and possible action to adopt a resolution appointing (or reappointing) qualified individuals to serve on the Parks & Recreation Board.**
- 9. Consideration and possible action to adopt a resolution appointing (or reappointing) qualified individuals to serve on the Public Library Advisory Board.**
- 10. Consideration and possible action to adopt a resolution declaring certain city property and/or equipment to be surplus to the City's needs and authorizing**

the Mayor to dispose of such property in a manner that is beneficial to the City of Jonestown. (Public Works utility trailer; mobile home)

11. Consideration and possible action to approve a license agreement between Travis County Tax Assessor-Collector and the City of Jonestown as a Limited Service Deputy to process renewals of vehicle registrations.
12. Consideration and possible action to approve a Finance Clerk position and job description.
13. Consideration and possible action to approve a five-year extension to the service contract with Progressive Waste Solutions of TX, Inc. d/b/a Waste Connections of Texas for exclusive residential, commercial, and roll-off refuse service.
14. Consideration and possible action to authorize submittal of a Preliminary Application for the Texas Department of Transportation 2021 Transportation Alternatives (TA) Call for Projects.

REGULAR AGENDA ITEMS:

15. Request for a Conditional Use Permit for 18762 FM 1431
 - a. PUBLIC HEARING to receive citizen input on a request by Austin Underground, Inc., for a conditional use permit in accordance with Chapter 14: Zoning Code, Sec. 14.02.081(b)(12) Conditional Uses, of the City of Jonestown Code of Ordinances, to allow large vehicle parking in a B-2 general commercial zoning district at 18762 FM 1431 (ABS 2683 SUR 54 Humble & Chapman ACR 4.360), Jonestown, Texas.

NOTE: THIS ITEM HAS BEEN WITHDRAWN AT THE REQUEST OF THE APPLICANT.

16. Consider, discuss and take any action necessary regarding an ordinance of the City Council of the City of Jonestown, Texas, amending article 8.06, "Sex Offender Regulations" of the Code of Ordinances to provide elements to guide the City Council when making a decision concerning application to the Council for an exemption or an appeal of denial of an exemption by the Chief of Police to the prohibition against a registered sex offender having a residence within a specified distance of a child safety zone; amending the article to be consistent with state law.
17. Consider, discuss and take any action necessary regarding an Ordinance of the City Council of the City of Jonestown, Texas, amending Article 12.01.006, "Operation of Golf Carts in the City" of the Code of Ordinances to allow the crossing of FM 1431 at a controlled intersection.
18. Consider, discuss and take any action necessary regarding an ordinance of the City of Jonestown, Texas, amending Chapter 3 Building Regulations of the Jonestown Code of Ordinances to add new definitions to Outdoor Lighting Regulations; repealing and replacing Division 3 Lighting to include uniform light standards that enhance the night sky.
19. Consider, discuss and take any action necessary regarding formation of a Jonestown Dark Skies Committee and appointment of members.
20. **ADJOURNMENT**

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by

Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

I, the undersigned authority, do hereby certify that a copy of the above agenda of the City of Jonestown City Council was posted at Jonestown City Hall and Jonestown Community Library, places convenient and readily accessible to the general public at all times, and said agenda was posted on this _____ day of _____, 2021, by _____ a.m./p.m. _____ City Secretary, City of Jonestown, Texas

I certify that the above agenda of the City of Jonestown was removed on this _____ day of _____, 2021, at _____ a.m./p.m. _____ City Secretary.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the city secretary at 512-267-3243 or fax at 512-267-4572, or e-mail raustin@jonestown.org

**COUNCIL COMMITTEE MEETINGS
TUESDAY, FEBRUARY 2, 2021**

Finance Committee (8:30 a.m.)

- Travis County agreement for vehicle registration renewals
- Part-time assistance for the Finance Department
- Scheduling of the First Quarter budget review work session – tentatively set for Feb 19

Planning & Development (9:00 a.m.)

- Annual appointments to BOA and P&Z
- Application for conditional use permit for large vehicle parking at 18762 FM 1431
- Creation of Dark Skies Committee and appointment of members
- Traffic Impact Analysis and Access Management manual
- Ordinance amending Chapter 3 Building Regulations - outdoor lighting regulations
- Discuss increasing the minimum lot size for residential lots to one acre

Public Works Committee (9:30 a.m.)

- Solid waste contract renewal – recommend extending current agreement
- Surplus and sell a trailer in public works department
- Initial discussion of potential TxDOT Grant for Transportation Alternatives for the Park Drive Project

Public Safety Committee (10:00 a.m.)

- Ordinance amending sex offender regulations
- Ordinance allowing golf carts to cross 1431 at the traffic signal
- Declare the mobile home located on the City's property at 18306 Spring Lane as surplus property

Parks & Events Committee (10:30 a.m.)

- Security camera system for park
- Annual appointments to Park Board

MINUTES OF THE JONESTOWN CITY COUNCIL REGULAR MEETING HELD JANUARY 14, 2021, 7:30 P.M., VIA AUDIO/VIDEO TELECONFERENCE

Paul Johnson, Mayor	Eric Davis (Place 1)	Dave Nelsen (Place 4)
Tom Buckle, Mayor Pro Tem, Place 2	Rod Schaffner (Place 3)	Linda Bush (Place 5)

This meeting was closed to in-person attendance by the public. A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code. Telephonic and videoconferencing capabilities were utilized to allow individuals to address the Council. Email submissions were also accepted.

Council Present via teleconference: Mayor Johnson, Mayor Pro Tem Buckle, Alderwoman Bush, Alderman Nelsen, Alderman Davis, Alderman Schaffner.

Absent: None.

Staff present via teleconference: City Administrator Jones, Development Services Manager Jolly, Public Works Director Herrera, Parks Director Gyergo, City Secretary Austin.

AGENDA

ITEMS OPENING MEETING

1. CALL TO ORDER, ESTABLISH QUORUM, DECLARE MEETING OPEN

Mayor Johnson announced a quorum present and opened the meeting at 7:30 p.m.

2. ANNOUNCEMENTS: ITEMS OF COMMUNITY INTEREST

(In accordance with Government Code Title 5, Subtitle A, Chapter 551, Sect. 551.0415)

There were no announcements.

3. REPORTS AND UPDATES

a. Quarterly report: Parks Board

No report was given.

b. Council Committee reports:

Alderman Nelsen gave the following reports:

- Finance Committee – discussed the renewal of the agreement with Travis County for vehicle registration service and changes being reviewed by the city attorney; printer issues have been resolved and registrations have resumed.
- Planning & Economic Development Committee – talked about amendments to zoning of the Carlton PUD to align with the development agreement; discussed addition of performance standards to B-1 and B-2 zoning, request for zoning classification changes for 11651 Johnson Road and 18246 FM 1431, draft Dark Skies ordinance and possible formation of a Dark Skies Committee, and final report from the Alternative Housing Committee.
- Public Works Committee – discussed the solid waste contract and the meeting with Waste Connections regarding the current contract and possible renewal; also discussed a proposal for engineering services from KPA for the Crestview Drive project; and the final pay application from Austin Underground for the OBR Improvement Project is on hold waiting for vegetation growth.

CITIZEN COMMUNICATIONS

In accordance with the Open Meetings Act, Council is prohibited from discussing (other than factual responses to specific questions) or acting on any items brought before them at this time.

There were no citizen comments.

GENERAL BUSINESS AND ACTION ITEMS

CONSENT AGENDA ITEMS:

The Consent Agenda includes routine and non-controversial items that may be acted upon with one single vote. There will be no separate discussion of these items; however, Any Councilmember may request an item be pulled from the Consent Agenda in order that it be discussed and acted upon individually as part of the Regular Agenda.

4. APPROVAL OF MINUTES

December 10, 2020, regular meeting

Alderman Nelsen moved to approve the consent agenda items, seconded by Mayor Pro Tem Buckle. **The motion passed unanimously.**

REGULAR AGENDA ITEMS:

Note that Mayor Johnson announced that the order of the agenda would be changed to consider Agenda Item 10 at this time.

10. Consider, discuss and take any action necessary on a proposal from Kasberg, Patrick & Associates (KPA) for engineering services for the Crestview Drive Improvement Project.

Public Works Director Herrera explained the Crestview project covers the area from Park to North Park and noted the project qualifies for Capital Metro BCT funds. The proposed engineering cost of \$17,400 will cover engineering plans and specs, bidding and construction administration services, leaving about \$52,600 of the \$70,000 BCT funds available for the actual project. Herrera plans to have a base bid and bid alternates; the project may include road mill and overlay, addition of ribbon curb, correction of drainage issues, and ADA-compliant sidewalk. Alderman Nelsen moved to approve the KPA proposal, seconded by Mayor Pro Tem Buckle. **The motion passed unanimously.**

5. a. PUBLIC HEARING on an ordinance amending Chapter 14, Zoning Code, of the Jonestown Code of Ordinances, and Ordinance No. 2010-O-401 to amend the PUD zoning of a certain 608.8 acre parcel known as the "Carlton PUD".

The hearing was opened. There being no citizens wishing to be heard, Mayor Johnson closed the public hearing.

b. Consider, discuss and take any action necessary on an ordinance amending Chapter 14, Zoning Code, of the Jonestown Code of Ordinances, and Ordinance No.

2010-O-401 to amend the PUD zoning of a certain 608.8 acre parcel known as the “Carlton PUD”.

Alderman Davis moved to approve the ordinance amending the PUD zoning of the Carlton PUD. Alderman Nelsen seconded the motion. **The motion passed unanimously.**

- 6. a. PUBLIC HEARING on a request by Davidass and Swaran Mahendru, in accordance with Chapter 14: Zoning Code, Sec. 14.02.146 (b) Amendments, of the City of Jonestown Code of Ordinances, for a zoning classification change from T Temporary District and R-1 Single-family Residential to B-2 Business-General Commercial District for property located at 18246 FM 1431, (ABS 840 SUR 421 YBARBO J A ACR 22.3940), Jonestown, TX.**

Steve Ihnan of Bleyl Engineering, representing the Mahendrus, addressed Council and stated B-1 zoning would be acceptable if B-2 zoning is not approved. There being no others wishing to be heard, Mayor Johnson closed the public hearing.

Note here that Mayor Pro Tem Buckle disconnected from the meeting, was not present for the remainder of the meeting, and did not vote on the following agenda items.

- b. Consider, discuss and take any action necessary on the above request by Davidass and Swaran Mahendru, in accordance with Chapter 14: Zoning Code, Sec. 14.02.146 (b) Amendments, of the City of Jonestown Code of Ordinances, for a zoning classification change from T Temporary District and R-1 Single-family Residential to B-2 Business-General Commercial District for property located at 18246 FM 1431, (ABS 840 SUR 421 YBARBO J A ACR 22.3940), Jonestown, TX.**

Mr. Bleyl and Dr. Vivek Mahendru addressed council members regarding plans for the property and answered council questions. PUD zoning and B-1 zoning options were discussed instead of B-2, with the property owners requesting that Council consider approving B-1 zoning at this meeting. Alderman Davis moved to table this item to the March regular meeting and have staff work with the Mahendru family as quickly as possible to determine zoning that will be agreeable to both parties. Alderman Nelsen seconded the motion. **The motion passed unanimously.** Council indicated they would be willing to consider the item before the March meeting if a revised request is ready prior to that time.

- 7. a. PUBLIC HEARING on a request by Jared Hurt for a zoning classification change, in accordance with Chapter 14: Zoning Code, Section 14.02.146(b) Amendments, of the Jonestown Code of Ordinances, from “T” Temporary district to “R-1” Residential district for property located at 11651 Johnson Road, (Lot 8 Case Acres Estates), Jonestown, TX.**

The hearing was opened. There being no citizens wishing to be heard, Mayor Johnson closed the public hearing.

b. Consider, discuss and take any action necessary on the above request by Jared Hurt for a zoning classification change, in accordance with Chapter 14: Zoning Code, Section 14.02.146(b) Amendments, of the Jonestown Code of Ordinances, from “T” Temporary district to “R-1” Residential district for property located at 11651 Johnson Road, (Lot 8 Case Acres Estates), Jonestown, TX.

Alderman Nelsen moved to approve the ordinance rezoning the above property to R-1 Residential district, seconded by Alderman Davis. **The motion passed unanimously.**

- 8. a. PUBLIC HEARING on amendments to the Jonestown Code of Ordinances, Chapter 14, “Zoning Ordinance,” Article 14.02 Division 2 “Zoning Districts and Regulations”, to add Performance Standards in Sec. 14.02.072(e) Business-Light Commercial District “B-1” and Sec. 14.02.073(g) Business-General Commercial District “B-2”.**

The hearing was opened. There being no citizens wishing to be heard, Mayor Johnson closed the public hearing.

b. Consider, discuss and take any action necessary on amendments to the Jonestown Code of Ordinances, Chapter 14, “Zoning Ordinance,” Article 14.02 Division 2 “Zoning Districts and Regulations”, to add Performance Standards in Sec. 14.02.072(e) Business-Light Commercial District “B-1” and Sec. 14.02.073(g) Business-General Commercial District “B-2”.

After brief discussion, Alderman Nelsen moved to approve the ordinance, seconded by Alderman Davis. **The motion passed unanimously.**

- 9. Consider, discuss and take any action necessary regarding the final report of the Alternative Housing Committee.**

Committee Chair, Tom Grant, reviewed the committee’s task list and activities. The committee recommends Council consider ordinance amendments allowing smaller minimum square footage for homes on lots of less than 6,000 square feet and establishing standards for accessory dwelling units, while maintaining current requirements for permanent foundations and building code standards for all dwelling units. Council expressed appreciation to all members of the committee, noting their professionalism and diligence. Appreciation certificates will be presented to the committee members. Mr. Grant thanked council members, city staff members and interns for their time and assistance. No action was taken.

ADJOURNMENT

Alderwoman Bush moved to adjourn, seconded by Alderman Davis. **The motion passed unanimously.** Mayor Johnson adjourned the meeting at 8:27 p.m.

PASSED AND APPROVED AT A REGULAR MEETING HELD ON _____, 2021.

Paul Johnson, Mayor

ATTEST:

Rachel Austin, City Secretary

DRAFT

**City of Jonestown,
Texas**

AGENDA REPORT

Meeting Date: February 11, 2021

Agenda Item Number:

6 - 9

(City Secretary's Use Only)

Department: Admin

Prepared by: Rachel Austin

Budgeted Amount: \$ 0

Date Prepared: February 4, 2021

Exhibits: chart, Resolutions

Subject

Resolutions appointing/reappointing members to boards and commissions

Recommendation

That Council approve the resolutions as part of the consent agenda

Discussion

This is done annually for terms that ended December 31. Current members have indicated their desire to continue serving; new members have completed applications and their eligibility has been confirmed. Members being appointed are as follows:

Board of Adjustments: Jim Etherton, Henry Mayes, Paul Dertien (reappointments); Kara Trissel (new appointment)

Planning & Zoning Commission: Brenda Sies, Tony Macina (reappointments); Alyssa Kline (new appointment)

Park Board: Michael Latos, Patty Lopez, Laura Heihn (reappointments)

Library Board: Sarah Heihn, Louise Drake (reappointments)

Approval By

Signature

Date

Department Head

City Administrator



2/4/21

RESOLUTION NO. 2021-R-__**A RESOLUTION OF THE CITY OF JONESTOWN, TEXAS APPOINTING (OR REAPPOINTING) QUALIFIED INDIVIDUALS TO SERVE ON THE BOARD OF ADJUSTMENTS AND APPEALS; PROVIDING OPEN MEETINGS AND SEVERABILITY CLAUSES.**

Whereas, the Jonestown Code of Ordinances (“City Ordinances”) provides for the creation of the Board of Adjustments and Appeals;

Whereas, the City ordinances provide that City Council for the City of Jonestown (“City Council”) shall appoint qualified individuals to serve on the Board of Adjustments and Appeals for specified terms;

Whereas, to the extent permitted by state law and the City Ordinances, the City Council may reappoint a member of the Board of Adjustments and Appeals to serve an additional term upon the expiration of the member’s current term;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JONESTOWN, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Appointment to Board of Adjustments and Appeals. The following individuals are appointed (or reappointed) to serve upon the Board of Adjustments and Appeals: Jim Etherton by Alderman Rod Schaffner, Place 3; Henry Mayes by Alderman Dave Nelsen, Place 4; Paul Dertien by Alderwoman Linda Bush, Place 5, for the term ending December 31, 2022; Kara Trissel by Mayor Paul Johnson, Alternate 1, for the term ending December 31, 2021. James Quinn is appointed Chair and Bob Rogers is appointed Vice Chair.

Section 3. Severability. Should any section or part of this resolution be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this resolution are declared to be severable.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 511, Tex. Gov’t. Code*.

PASSED AND APPROVED this the ____ day of _____, 2021.

CITY OF JONESTOWN, TEXAS

Paul Johnson, Mayor

ATTEST:

Rachel Austin, City Secretary

RESOLUTION NO. 2021-R-___**A RESOLUTION OF THE CITY OF JONESTOWN, TEXAS, APPOINTING (OR REAPPOINTING) QUALIFIED INDIVIDUALS TO SERVE ON THE JONESTOWN PLANNING AND ZONING COMMISSION; PROVIDING OPEN MEETINGS AND SEVERABILITY CLAUSES.**

Whereas, the Jonestown Code of Ordinances (“City Ordinances”) provides for the creation of the Planning and Zoning Commission;

Whereas, the City ordinances provide that City Council for the City of Jonestown (“City Council”) shall appoint qualified individuals to serve on the Planning and Zoning Commission for specified terms;

Whereas, to the extent permitted by state law and the City Ordinances, the City Council may reappoint a commissioner of the Planning and Zoning Commission to serve an additional term upon the expiration of the commissioner’s current term;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JONESTOWN, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Appointment to Planning and Zoning Commission. The following individuals are hereby reappointed to serve upon the Planning and Zoning Commission: Brenda Sies, Place 2; Anthony Macina, Place 4; and Alyssa Kline, Alternate Place 2; for the term ending December 31, 2022. Ann Yakimovicz is appointed Chair and Anthony Macina is appointed Vice Chair.

Section 3. Severability. Should any section or part of this resolution be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this resolution are declared to be severable.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 511, Tex. Gov’t. Code*.

PASSED AND APPROVED this the ____ day of _____, 2021.

CITY OF JONESTOWN, TEXAS

Paul Johnson, Mayor

ATTEST:

Rachel Austin, City Secretary

RESOLUTION NO. 2021-R-__**A RESOLUTION OF THE CITY OF JONESTOWN, TEXAS, APPOINTING (OR REAPPOINTING) QUALIFIED INDIVIDUALS TO SERVE ON THE PARKS AND RECREATION BOARD; PROVIDING OPEN MEETINGS AND SEVERABILITY CLAUSES.**

Whereas, the Jonestown Code of Ordinances (“City Ordinances”) provides for the creation of the Parks and Recreation Board;

Whereas, the City ordinances provide that City Council for the City of Jonestown (“City Council”) shall appoint qualified individuals to serve on the Parks and Recreation Board for specified terms;

Whereas, to the extent permitted by state law and the City Ordinances, the City Council may reappoint member(s) of the Parks and Recreation Board to serve an additional term upon the expiration of the board member’s current term;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JONESTOWN, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Appointment to Parks and Recreation Board. The following individuals are appointed (or reappointed) to serve upon the Parks and Recreation Board: Michael Latos, Place 2; and Patricia Lopez Buckley, Place 4; and Laura Heihn, Alternate Place 2; for the term ending December 31, 2022. Michael Latos is appointed Chair and Patricia Lopez Buckley is appointed Vice Chair.

Section 3. Severability. Should any section or part of this Resolution be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Resolution are declared to be severable.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov’t. Code.*

PASSED AND APPROVED this the ____ day of _____, 2021.

City of Jonestown, Texas

Paul Johnson, Mayor

Attest:

Rachel Austin, City Secretary

RESOLUTION NO. 2021-R-____**A RESOLUTION OF THE CITY OF JONESTOWN, TEXAS, APPOINTING (OR REAPPOINTING) QUALIFIED INDIVIDUALS TO SERVE ON THE PUBLIC LIBRARY ADVISORY BOARD; PROVIDING OPEN MEETINGS AND SEVERABILITY CLAUSES.**

Whereas, the Jonestown Code of Ordinances (“City Ordinances”) provides for the creation of the Public Library Advisory Board;

Whereas, the City ordinances provide that City Council for the City of Jonestown (“City Council”) shall appoint qualified individuals to serve on the Public Library Advisory Board for specified terms;

Whereas, to the extent permitted by state law and the City Ordinances, the City Council may reappoint a member of the Public Library Advisory Board to serve an additional term upon the expiration of the member’s current term;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JONESTOWN, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Appointment to the Public Library Advisory Board. The following individuals are appointed (or reappointed) to serve upon the Public Library Advisory Board: Louise Drake, Place 2, and Sarah Heihn, Place 4, for the term ending December 31, 2020. Sarah Heihn is appointed Chair and Richard Law is appointed Vice Chair.

Section 3. Severability. Should any section or part of this Resolution be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Resolution are declared to be severable.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov’t. Code*.

PASSED AND APPROVED this the ____ day of _____, 2021.

CITY OF JONESTOWN, TEXAS

Paul Johnson, Mayor

ATTEST:

Rachel Austin, City Secretary

RESOLUTION 2021-R-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESTOWN, TEXAS, DECLARING CITY PROPERTY AND/OR EQUIPMENT TO BE SURPLUS TO THE CITY'S NEEDS AND AUTHORIZING THE MAYOR TO DISPOSE OF SUCH PROPERTY IN A MANNER WHICH IS BENEFICIAL TO THE CITY OF JONESTOWN.

WHEREAS, the City of Jonestown, Texas, owns City vehicles, property and/or equipment which has been replaced, are obsolete, or are not currently used by the City, and

WHEREAS, such vehicles, property and/or equipment have no or limited value to the City, and

WHEREAS, storage space for such vehicles, property and/or equipment is extremely limited, and

WHEREAS, appropriate City staff members have evaluated the need for and the value to the City of each vehicle, piece of property and/or equipment and have recommended disposal of the items.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JONESTOWN, TEXAS:

THAT, the City Council of the City of Jonestown, Texas declares the items listed on the attached Exhibit A to be surplus property and authorizes the Mayor to designate disposal of the property in a manner which is beneficial to the City of Jonestown.

PASSED AND ADOPTED ON THIS ____ DAY OF JANUARY, 2020.

City of Jonestown

Paul Johnson, Mayor

ATTEST:

Rachel Austin, City Secretary

EXHIBIT A

Year	Item	Plate Number	VIN
2008	MAGNUM UTILITY TRAILER-BIG TEX	9002232	16VAX121282A89332
	MOBILE HOME AT 18306 SPRING LANE	none	unknown

**City of Jonestown,
Texas**

AGENDA REPORT

Meeting Date: _____

Agenda Item Number:

10

(City Secretary's Use Only)

Department: Police Department

Prepared by: Chief Paul Taylor

Budgeted Amount: \$ _____

Date Prepared: 02/03/2021

Exhibits: _____

Subject

Declare mobile home as surplus

Recommendation

Chief Paul Taylor is requesting Council and Mayor to declare the mobile home as surplus

Discussion


Chief Paul Taylor is requesting Council and Mayor to declare the mobile home, including all A/C units and propane tank, located at 18306 Spring Lane, as surplus. Requesting authorization to auction the mobile home, including all A/C units and propane tank.

The mobile home is a 14' X 48' single story with aluminum siding, unknown manufacturer.

Approval By

Department Head

Signature



Date

02/03/2021

City Administrator



2/4/21

**City of Jonestown,
Texas**

AGENDA REPORT

Meeting Date: 02/11/2021

Agenda Item Number:

10

(City Secretary's Use Only)

Department: Public Works

Prepared by: Carol Gyergyo

Budgeted Amount: \$ _____

Date Prepared: 1/19/2021

Exhibits: Photos of Surplus Item

Repair Estimate for \$3,170.77

Subject

Surplus Public Works Trailer
Serial #16vax121282a89332, 2008 Big Tex Utility Trailer.

Recommendation

Staff recommends consideration and possible action to declare as surplus the trailer listed in the exhibit. This item is unsafe, broken, and unusable to the City.

Discussion

This trailer is unsafe to pull. Metal is splitting at the tongue.
Other deficiencies include replace tires, repack axle and inspect bearings (replace only if needed), rewire trailer lights with LED lights, replace decking boards, and replace trailer a-frame coupler jack.
It is cost prohibitive to repair. Would recommend surplus of this item.

Approval By

Department Head

City Administrator

Signature

Carol Gyergyo
[Signature]

Date

02/10/2021
2/3/21



Ticket #		74219		Date:		12/3/2020	
Customers Name:		City of Jonestown		Email:		jherrera@jonestown.org	
Address:		18649 fm 1431		City:		jonestown	
				State:		tx	
				Zip:		78645	
Phone:		(512) 267-3243		Cell:		(512) 801-0194	
				Fax:			
Year:		2008		Model:		big tex	
				Make:		utility	
				Serial #		16vax121282a89332	

REMARKS:	LABOR	\$1,655.00
	PARTS	\$1,221.37
Parts prices based on standard catalog procurement. Price lists subject to change without notice. Procurement and delivery charges may be added for special service on items not available locally. Old parts removed will be junked, unless otherwise instructed in writing.	PAINT	
	FREIGHT	
	MISC	\$294.40
	SUBTOTAL	\$3,170.77
YOU ARE AUTHORIZED TO PROCEED AS ABOVE:	TAX	\$261.59
	TOTAL	\$3,432.36
X	DATE:	

This estimate is based on our inspection and belief. It does not include additional parts or labor which may be required after the work has been opened up. Often defective parts are discovered which were not evident on initial examination. For this reason the estimate is not guaranteed unless so indicated on the face hereof. THIS IS AN ESTIMATE good for thirty days from date; thereafter it is subject to confirmation.

**City of Jonestown,
Texas**

AGENDA REPORT

Meeting Date: February 11, 2021

Agenda Item Number:

11

(City Secretary's Use Only)

Department: Finance

Prepared by: Wendy Del Re

Budgeted Amount: _____

Date Prepared: February 3, 2021

Exhibits: License Agreement

Subject

License agreement with Travis County Tax Assessor-Collector to serve as a limited service deputy for the issuance of motor vehicle registration stickers

Recommendation

Staff recommends approval of the license agreement

Discussion

This agreement replaces the agreement approved in January 2019. The City will continue to receive \$1 for each transaction processed in accordance with Texas Transportation Code, section 502.1911 and \$5,000 each quarter of the fiscal year; however, if no stickers are issued during a quarter the County will not be required to pay for that quarter.

Approval By

Signature

Date

Department Representative

Wendy Del Re

2/3/2021

City Administrator

[Signature]

2/4/21

LICENSE AGREEMENT
BETWEEN TRAVIS COUNTY TAX ASSESSOR-COLLECTOR
AND THE CITY OF JONESTOWN AS A LIMITED SERVICE DEPUTY
(with Surety Bond)

This Interlocal License Agreement is made by the following parties: Travis County Tax Assessor-Collector, (Tax Assessor-Collector) and the City of Jonestown.

Recitals

Texas Transportation Code, Chapter 520, authorizes the Tax Assessor-Collector in each county to license commercial businesses and deputize assistants to process renewals of vehicle registrations consistent with the policies and administrative procedures established by TxDMV and the Texas Administrative Code.

For many residents of Travis County, it is inconvenient to travel to the main offices of the Tax Assessor Collector to renew their vehicle registration, whether due to distance or other responsibilities during normal business hours.

City of Jonestown has offered to provide the services associated with issuing motor vehicle registration renewals and providing Stickers for vehicles at places and hours more convenient to these residents.

Public convenience will be furthered by authorizing City of Jonestown to act as a limited service deputy of the Tax Assessor-Collector for the issuance of motor vehicle registration Stickers for vehicles.

Agreement

1. Definitions. In this License Agreement,

- 1.1 "Business Week" means the seven consecutive days beginning on Sunday and ending the following Saturday.
- 1.2 "Deputized Employee" means a person who is employed by City of Jonestown who has sworn the oath administered by the Tax Assessor-Collector that authorizes that person to be an agent of the Tax Assessor-Collector for the issuance of Stickers on behalf of City of Jonestown.
- 1.3 "Designated Liaison" means the person at each Place of Business in the position City of Jonestown designates to be responsible for the administration of this License Agreement on behalf of City of Jonestown and serve as the liaison between City of Jonestown and the Tax Assessor-Collector on all matters for that Place of Business related to it.
- 1.4 "Inventory" means Registration Receipt paper on which vehicle registration renewal stickers are printed that the Tax Assessor-Collector provides to City of Jonestown and the printed vehicle registration renewal stickers.
- 1.5 "Place of Business" means the physical locations at which City of Jonestown is authorized to and does issue Stickers which are listed in Attachment A, as amended

with each amendment attachment being numbered sequentially as A-1, A-2, A-3, etc.

- 1.6 "Receiving Agent" means one or more of City of Jonestown's officers, agents or employees at its Places of Business who has sworn the oath administered by the Tax Assessor-Collector that authorizes that person to be an agent of the Tax Assessor-Collector for the issuance of Stickers on behalf of City of Jonestown.
- 1.7 "Required Information" means the name of the City of Jonestown's Place of Business where the person will serve as a Receiving Agent, its address, the name of the Receiving Agent for that Place of Business and his or her contact information including telephone number, cell phone, and email address.
- 1.8 "Stickers" means vehicle license validation stickers.
- 1.9 "Tax Assessor-Collector" means the Travis County Tax Assessor-Collector.
- 1.10 "TxDMV" means the State of Texas acting through the Department of Motor Vehicles.

City of Jonestown Responsibilities

- 2. Compliance with TxDMV Requirements. City of Jonestown shall comply with all Texas laws and all specifications and requirements of TxDMV associated with the issuance of Stickers. City of Jonestown shall provide all equipment necessary to perform its responsibilities under this License Agreement, including a personal computer and a printer approved by TxDMV at each Place of Business.
- 3. Designated Liaison. In Attachment A City of Jonestown must designate a position at each Place of Business to act as its Designated Liaison at that Place of Business. City of Jonestown is responsible for all acts of each Designated Liaison and the employees approved by each Designated Liaison. The person holding the position indicated as the Designated Liaison in Attachment A is the City of Jonestown's Designated Liaison at that Place of Business. The Designated Liaison must become a Deputized Employee. Before deputizing the Designated Liaison, the Tax Assessor-Collector shall provide any training deemed necessary for the Designated Liaison to have access to the Inventory. The Designated Liaison is responsible for the following:
 - 3.1 Approving all employees under the City of Jonestown's control who will participate in any way in the issuance of Stickers or have access to the Inventory;
 - 3.2 Notifying the Tax Assessor-Collector in writing of the identity of each approved employee before permitting that employee to have any contact with the Inventory and whenever any employee is no longer approved;
 - 3.3 Serving as a Receiving Agent for City of Jonestown.

If City of Jonestown changes its Designated Liaison, City of Jonestown shall notify the Tax Assessor-Collector in compliance with section 31 before the change is effective.

- 4. Deputization. City of Jonestown shall not allow any person to participate in any way in the issuance of Stickers on behalf of City of Jonestown until that particular person is a Deputized Employee. City of Jonestown acknowledges receipt of a copy of this oath. City of Jonestown shall require the person in charge of its local operations, the Designated Liaison, any employees acting as Receiving Agents, and each person who in any way assists in the

issuance of Stickers on behalf of City of Jonestown to be a Deputized Employee.

5. Surety Bond.

- 5.1 City of Jonestown will deliver a surety bond issued by a person authorized to conduct a surety business in the State of Texas and acceptable to the County and conditioned on City of Jonestown's proper accounting and remittance of the fees the City of Jonestown collects in performance of City of Jonestown's responsibilities related to registration renewal services under this License Agreement and in compliance with all specifications and requirements of TxDMV. The surety bond must be in the amount of **\$10,000**. The surety bond is payable to "Bruce Elfant, Travis County Tax Assessor-Collector or his successor". The surety bond must clearly state its expiration date, if any, and City of Jonestown must maintain it for as long as this License Agreement is valid.
- 5.2 City of Jonestown must renew the bond for additional terms before it expires and provide the Tax Assessor-Collector with proof of that renewal at least fifteen (15) days before the expiration date.
- 5.3 If City of Jonestown fails to properly account for or remit any of the fees City of Jonestown collects in performance of any of its duties or responsibilities related to registration renewal services under this License Agreement, or fails to comply with any of the requirements of TxDMV, the Tax Assessor-Collector is entitled to collect on the bond and apply the proceeds from it against actual damages incurred by Travis County or the Tax Assessor-Collector or any of their agents, employees, or public officials.
- 5.4 If this License is terminated by the Tax Assessor-Collector for breach by the City of Jonestown and City of Jonestown fails to return all Inventory and funds due within twenty four (24) hours after receipt of the notice of termination of this License Agreement, the Tax Assessor-Collector is entitled to retain the entire proceeds of the surety bond as liquidated damages, and to seek recovery of any additional actual damages.
- 5.5 City of Jonestown acknowledges that the amount of the surety bond may increase, at the Tax Assessor-Collector's sole discretion, if City of Jonestown expands the amount of its anticipated or actual receipts.

6. Authority as Limited Service Deputy. After the Tax Assessor-Collector receives a valid surety bond and as long as it remains valid, City of Jonestown is entitled to issue Stickers with a value equal to or less than the value of that surety bond. In calculating the amount of sticker paper that may be provided, the type and quantity of transactions will be evaluated based on the number of stickers issued during the reporting period and the estimated average value of each transaction.

7. Receiving Agents. City of Jonestown shall designate, in writing, one or more Receiving Agents at each of City of Jonestown's Places of Business as the person responsible for ensuring that all other persons who process transactions or pick up or deliver materials on behalf of City of Jonestown at each Place of Business are Deputized Employees. City of Jonestown shall provide the Tax Assessor-Collector with the Required Information for each Receiving Agent at each Place of Business. If a Receiving Agent changes, City of Jonestown shall provide the Tax Assessor-Collector with the Required Information about the new Receiving Agent as soon as he or she is appointed. Upon receipt of Inventory from the Tax Assessor-Collector, the Receiving Agent shall verify that the sticker paper and its serial numbers correspond with the invoice. If there are any discrepancies between the sticker paper received and the sticker paper listed on the invoice, the Receiving Agent shall promptly report the discrepancy to the Tax Assessor-Collector in writing.

8. Proper Control and Care. City of Jonestown assumes full risk of loss or damage to the Inventory and all liability for improper use of them. City of Jonestown is fully responsible for the safekeeping of all Inventory provided to City of Jonestown's Receiving Agents. City of Jonestown shall exercise proper control and take reasonable care to ensure that
 - 8.1 Inventory is kept in a secure fire proof location at each of City of Jonestown's Places of Business listed in Attachment A to this License Agreement,
 - 8.2 only Deputized Employees have access to the Inventory, and
 - 8.3 none of the Inventory is lost, stolen, misused, damaged, or abused.
9. Receipt of Payments from Customers.
 - 9.1 City of Jonestown shall collect the fees prescribed by the Transportation Code, chapter 520; then Texas Administrative Code, Title 43, Part 10, Chapter 217 and the Tax Assessor-Collector for each Sticker issued.
 - 9.2 City of Jonestown may receive payment from customers in any form acceptable to City of Jonestown and is responsible for replacing any returned items.
10. Processing Registration Renewals City of Jonestown shall collect the inspection fees prescribed by the Texas Administrative Code, Title 43, Part 10, Chapter 217 for each Sticker at the time of issue. At least once each Business Week and no later than the first business day after each Saturday, City of Jonestown shall complete the following and send via eMail to Inventory Control: stephanie.triggs@traviscountytx.gov and jauroy.crenshaw@traviscountytx.org.
 - 10.1 report of fees due for issuance of Stickers during the previous Business Week,
 - 10.2 the webAgent Batch Detail Report which is a report provided by the TxDMV webAgent system that includes all Stickers issued and sold, the number of stickers voided and reprinted and
 - 10.3 all voided Stickers as an attachment to the report with original voided stickers mailed to Travis County Tax Office, ATTN: Inventory Control, 5501 Airport Blvd, Austin TX 78751
11. Non-compliance. Within three business days after it becomes aware of any incident of non-compliance with this License Agreement, City of Jonestown shall advise the Tax Assessor-Collector.
12. If the Tax Assessor-Collector returns any report to City of Jonestown for correction or clarification because it is not in order and does not balance or conform to the requirements of the Tax Assessor-Collector, City of Jonestown has up to three (3) business days to research and rectify any discrepancies that appear in any report and to locate any missing or unaccounted for Inventory. City of Jonestown shall correct and return that report in its entirety to the Tax Assessor-Collector. If, within these three (3) business days, City of Jonestown is unable to locate any missing or unaccounted for Inventory, City of Jonestown shall promptly pay for the missing and/or unaccounted for Inventory at the value determined by the Tax Assessor-Collector for that Business Week. City of Jonestown is fully responsible for any shortages that appear on the Reports.
13. If, within three (3) business days after the date payment is due, City of Jonestown fails to pay the Tax Assessor-Collector for any amount owing under this License Agreement, the Tax Assessor-Collector, in addition to seeking any other remedies available under the License

Agreement or under the law, may:

- 13.1 suspend this License Agreement,
 - 13.2 not issue any additional Inventory and
 - 13.3 suspend City of Jonestown's privilege to print Stickers until all sums owed are paid.
14. Tax Assessor-Collector shall return any overpayments made by City of Jonestown within ten (10) business days of identifying the overage.
15. Accounting and Records. City of Jonestown must keep a separate accounting of the fees collected and remitted to the Tax Assessor-Collector and a record of weekly amounts due in accordance with the Tax Assessor-Collector's standard accounting procedures and standard digital format.
16. Method of Payment. City of Jonestown has two options for method of payment of amounts owed to the Tax Assessor-Collector: ACH or check.
- 16.1 ACH: The Tax Assessor-Collector's preferred method of payment is through Automated Clearing House (ACH) transactions.
17. Compensation.
- 17.1 City of Jonestown, in accordance with Texas Transportation Code, section 502.1911 may collect and retain a fee of up to \$1.00 for each transaction processed from each customer.
 - 17.2 City of Jonestown shall receive from the Tax Assessor-Collector a flat fee of Twenty Thousand Dollars (\$20,000), per year, for all stickers issued under this Agreement. Said flat fee shall be paid in quarterly installments of Five Thousand Dollars (\$5,000) at the end of each quarter of each fiscal year; *however, if no stickers are issued during any quarter the Tax Assessor-Collector is not required to pay any fee or installment for that quarter.*
18. Right to Audit.
- 18.1 City of Jonestown acknowledges that its operations and records relating to this License Agreement are subject to audit by the Tax Assessor-Collector, the Travis County Auditor, the Comptroller of the State of Texas, the TxDMV, Texas Department of Public Safety, any law enforcement agency, or any certified public accountant designated by any one or more of them. Any of these offices may conduct audits without prior notice at any time during City of Jonestown's service hours at any of City of Jonestown's Places of Business.
 - 18.2 With twenty four (24) hours-notice, any of these offices may conduct audits at any other time or place in Travis County, Texas. If the audit is to be conducted at any place other than one of City of Jonestown's Places of Business, City of Jonestown's Receiving Agents must be present and shall make all supplies, materials or forms required available at the place of the audit.
 - 18.3 If any audit or report of City of Jonestown discloses that any fees have not been paid for issued Stickers or that Inventory is missing or otherwise not accounted for and City of Jonestown is unable to cure such breach within three (3) business days of written notice from the Tax Assessor-Collector, the Tax Assessor-Collector is entitled to

collect payment for issued Stickers that have not been paid for, the value of the missing stickers and \$76.25 for each missing page of paper on which to print stickers.

19. Place of Business as Substation. City of Jonestown shall use its Place of Business as substation for the Travis County Tax Assessor-Collector's office for the issuance of Stickers as long as this License Agreement continues.

Tax Assessor-Collector Responsibilities

20. Inventory. Tax Assessor-Collector shall only provide Inventory directly to persons designated by City of Jonestown as its Receiving Agents. The Tax Assessor-Collector provides City of Jonestown with Inventory as needed to perform its obligations under this License Agreement to the extent that the combined value of Inventory and funds in the possession or control of City of Jonestown does not exceed the value of the surety bond that the Tax Assessor-Collector has received and that remains valid and intact.
21. Instructions and Assistance. The Tax Assessor-Collector provides instructions and assistance in complying with the requirements of this License Agreement, including the reporting requirements, as needed, to Receiving Agents and Deputized Employees. After the initial training, City of Jonestown is responsible for ongoing training of its Deputized Employees and replacement Deputized Employees.
22. Changes in Requirements. The Tax Assessor-Collector shall advise City of Jonestown within three (3) business days after it becomes aware of any change in the requirements of TXDMV.
23. Non-compliance. Within three (3) business days after it becomes aware of any incident of non-compliance with this License Agreement, the Tax Assessor-Collector shall advise City of Jonestown in writing.

General Provisions

24. Term of License Agreement. This License Agreement is effective when signed by the Tax Assessor-Collector and by authorized representative of City of Jonestown and the Tax Assessor-Collector receives the surety bond in compliance with section 5. This License Agreement continues until the surety bond is no longer valid or intact or this License Agreement is terminated by either the Tax Assessor-Collector or City of Jonestown in accordance with its terms.
25. Amendment. This License Agreement may only be amended or modified, in writing signed by the Tax Assessor-Collector and City of Jonestown. No other official, agent, or employee of Travis County Tax Assessor-Collector has the authority, expressed or implied, to amend or modify this License Agreement, orally or in writing.
26. Assignment by City of Jonestown. City of Jonestown shall not assign this License Agreement. City of Jonestown shall notify the Tax Assessor-Collector if it sells its business as a going concern or changes the ownership interests through marriage or a business transaction and the Tax Assessor-Collector may terminate this License Agreement if he deems that appropriate in the circumstances.

27. Assignment by Tax Assessor-Collector. The Tax Assessor-Collector may assign this License Agreement to his duly elected and qualified successor.
28. City of Jonestown's Strict Liability. Breach of any obligation to be performed by City of Jonestown constitutes a breach of the entire agreement and gives the Tax Assessor-Collector the right to terminate this License Agreement immediately. City of Jonestown expressly acknowledges that any breach by City of Jonestown shall be considered a substantial breach.
29. Voluntary Termination Procedure. Both parties may terminate this License Agreement by mutual consent. Either party may voluntarily terminate this License Agreement by giving written notice to the other party in compliance with section 31 of its intention to terminate this License Agreement and the effective date of that termination at least thirty (30) calendar days before the effective date. On or before the effective date stated in the notice of termination, City of Jonestown shall return all Inventory to the Tax Assessor-Collector, pay all amounts due to the Tax Assessor-Collector and TxDMV including amounts for all Stickers issued.
30. County Termination for Breach Procedure. To terminate this License Agreement for breach, the Tax Assessor-Collector notifies City of Jonestown of its intention to terminate this License Agreement, the reason for termination, and the effective date of the termination in compliance with section 31. Within twenty-four (24) hours after the receipt of a notice of termination for breach by the Tax Assessor-Collector, City of Jonestown shall return all Inventory to the Tax Assessor-Collector and pay all amounts due to the Tax Assessor-Collector and TxDMV including amounts for all Stickers issued.
31. Notice. Notice must be in writing, sent via eMail, delivered in person or mailed by certified mail, return receipt requested, to the party to which it addressed. If eMailed on a regular county day during county business hours, notice is deemed received on the day it is sent via eMail, otherwise the eMail is deemed received at the start of the first business day after it is sent. If mailed, notice is deemed received on the 3rd day after mailing.

For Notice to City of Jonestown:

Mail and Hand Delivery Address: Wendy Del Re or successor
18649 FM 1431 Ste 4A
Jonestown TX 78645

Email Address for Notice to City of Jonestown: wkelly@jonestown.org
Telephone number of Receiving Agent: 737-236-9905

For Notice to the Tax Assessor-Collector

Mail and Hand Delivery Address: Bruce Elfant or his successor
Travis County Tax Assessor-Collector
5501 Airport Boulevard
Austin, Texas 78751

Eric Hearon Office: 512-854-9031 Mobile: 512-796-7405

Either party may change its address for Notice by sending the other party notice of the change in compliance with this section.

32. Tex. Gov't Code Ch. 2270 Verification. City of Jonestown verifies that City of Jonestown does not boycott Israel and will not boycott Israel during this contract.

33. Entirety of Agreement. This License Agreement states the entire agreement of the parties about the performance to be provided under it. This License Agreement supersedes all prior agreements, written or oral.
34. Interpretation and Venue. This License Agreement shall be interpreted in accordance with the laws of Texas and the United States of America. All obligations of the parties created under this License Agreement are performable in Travis County, Texas.
35. Extension of Deadline. If any applicable deadline in this License Agreement falls on a Saturday, Sunday, or county holiday, the deadline is extended until the next day that is not a Saturday, Sunday, or county holiday.

TRAVIS COUNTY TAX ASSESSOR-COLLECTOR

Bruce Elfant
Travis County Tax Assessor-Collector

Date:_____

Acknowledgement

State of Texas
County of Travis

On this ____ day of _____, 20____, Before me _____
the Notary signing below, appeared Bruce Elfant, personally known to me to be the
person whose name is subscribed to this License Agreement, and he acknowledged to
me that he executed this document for the purposes stated in it.

Notary Public, State of Texas

CITY OF JONESTOWN: _____

By: _____

Printed Name:

Title:

Date: _____

Acknowledgement:

State of Texas

County of Travis

On this ____ day of _____, 20____, Before me _____ the
Notary signing below, appeared _____ signing the License Agreement with
the City of Jonestown as a limited-service deputy, personally known to me to be the person
whose name is subscribed to this License Agreement, and (s)he acknowledged to me that (s)he
executed this document on behalf of that municipality, for the purposes stated in it.

Notary Public, State of Texas

ATTACHMENT A
BUSINESS LOCATIONS
PAGE 1 OF _____

Name of Business: _____
Position of Designated Agent this location: _____
Located at: Street Address _____
 City, Texas 78_____
Telephone number: _____, Fax Number: _____
Mailing address: Street Address _____
 City, Texas 78_____
Email address: _____
Service hours from ____ am to ____ on ____ day—____ day, excluding holidays.

Name of Business: _____
Position of Designated Agent this location: _____
Located at: Street Address _____
 City, Texas 78_____
Telephone number: _____, Fax Number: _____
Mailing address: Street Address _____
 City, Texas 78_____
Email address: _____
Service hours from ____ am to ____ on ____ day—____ day, excluding holidays.

Name of Business: _____
Position of Designated Agent this location: _____
Located at: Street Address _____
 City, Texas 78_____
Telephone number: _____, Fax Number: _____
Mailing address: Street Address _____
 City, Texas 78_____
Email address: _____
Service hours from ____ am to ____ on ____ day—____ day, excluding holidays.

Name of Business: _____
Position of Designated Agent this location: _____
Located at: Street Address _____
 City, Texas 78_____
Telephone number: _____, Fax Number: _____
Mailing address: Street Address _____
 City, Texas 78_____
Email address: _____
Service hours from ____ am to ____ on ____ day—____ day, excluding holidays.

**City of Jonestown,
Texas**

AGENDA REPORT

Meeting Date: February 11, 2021

Agenda Item Number:

12

(City Secretary's Use Only)

Department: Finance

Prepared by: Wendy Del Re

Budgeted Amount: _____

Date Prepared: February 3, 2021

Exhibits: Job Description

Subject

Addition of Finance Clerk position

Recommendation

Staff recommends approval of the addition of a Finance Clerk position

Discussion

The Finance Director has experienced a considerable increase in workflow and is requesting the addition of a part-time Finance Clerk position to assist the department in maintaining timely processing and reporting and to facilitate segregation of duties.

Approval By

Signature

Date

Department Representative Wendy Del Re

2/3/2021

City Administrator [Signature]

2/4/21

Job Description: Finance Clerk

CLASS NO. NE

EEOC CATEGORY: Office and Clerical

PAY GROUP: 3

FLSA: Nonexempt

SUMMARY OF POSITION

To provide assistance and support to the financial functions of the City. Assists in a variety of accounting duties including processing accounts payables and receivables, payroll, reconciliations, journal entries, and financial reporting. Performs administrative duties in support of departmental operations.

ORGANIZATIONAL RELATIONSHIPS

1. Reports to: Finance Director
2. Directs: This is a non-supervisory position.
3. Other: Has contact with the general public, City Administrator and other departmental personnel.

EXAMPLES OF WORK

Essential Duties*

Greet public in person and on telephone, answer questions, and direct to other parties when necessary.

Assist in the processing of accounts payable and payroll; input invoice data for payment to vendors; prepare and process accounts payables payments; research invoice discrepancies and initiate corrective actions.

Reconcile daily cash receipts and prepare bank deposits.

Prepare journal entries and account reconciliations; investigate discrepancies.

Create, update, and maintain various accounting and payroll files.

Assist with preparation of monthly, quarterly, and year-end reporting and annual audit processes.

Assist with utility billing as needed.

Coordinate and conduct special projects as assigned.

Other Important Duties*

Performs other duties as may be assigned.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES

Knowledge of: generally accepted accounting principles, especially related to governmental finances; modern office practices and procedures.

Knowledge of the following computer programs preferred: Microsoft Excel, Microsoft Word and Incode.

Skill/Ability to: efficiently and accurately process invoices for payment; maintain established records and files; prepare records, reports, and other documents neatly and accurately; operate standard office equipment, including copier, fax machine, calculator, and computer using standard word processing, spreadsheet, and data inquiry software; apply correct business English, spelling, and punctuation; establish and maintain effective working relationships with other city employees, outside agencies, city officials, and the general public; and demonstrate proficiency in both oral and written communication

ACCEPTABLE EXPERIENCE AND TRAINING

High school graduation, or its equivalent, plus at least two years of accounting/payroll experience;

or any equivalent combination of experience and training which provides the required knowledge, skills, and abilities.

CERTIFICATES AND LICENSES REQUIRED

Must have a valid Texas driver's license or available alternative means of transportation.

Must be able to pass criminal history background check and pre-employment drug screening.

Meeting Date: Feb 11, 2021

Agenda Item Number:

13

(City Secretary's Use Only)

Department: AdminPrepared by: S. JonesBudgeted Amount: \$ Not applicableDate Prepared: 1-27-21Exhibits: Letter agreementSurvey of rates
Subject

Solid waste service agreement with Waste Connections (Progressive Waste Solutions of TX).

Recommendation

Approve a letter agreement extending the city's solid waste agreement with Waste Connections and authorize the Mayor to execute the letter.

Discussion

Waste Connections provides solid waste collection and disposal service for the city under a contract entered into in 2016. The contract is set to expire in August of this year. Waste Connections has performed the terms of the contract well in the past five years, and the cost to city residents is reasonable according to a recent survey performed by public works.

In order to avoid the possible negative effects of negotiating a new contract. The public works committee recommends extending the contract for another five years with the current rates. The rates are subject to an escalation clause, tied to the CPI, in the third year.

Approval By*Signature**Date*

Department Head

City Administrator

2/3/21

January __, 2021

Progressive Waste Solutions of TX, Inc. d/ b/ a WC of Texas
Attn: District Manager
9904 FM 812
Austin, Texas 78719

Re: Exclusive Residential, Commercial, and Roll-off Refuse Service Contract
City of Jonestown, Texas and Progressive Waste Solutions of TX, Inc. d/ b/a WC of Texas
dated September 1, 2016

Dear _____:

The referenced agreement expires on August 21, 2021, but pursuant to Section XIV will be extended for an additional five years provided that neither party provides notice to the other of intent not to extend. The residents of the City of Jonestown and the City itself are satisfied with the performance of WC and we welcome the five-year extension, effective August 22, 2021.

The purpose of this letter is to document the City's intent to extend the agreement under its current terms, other than any authorized changes in the rates that have occurred since September 1, 2016, when the contract became effective. Regarding current rates and any changes during the extension, it is our intent and understanding that the Exhibit "A" in the original agreement will be replaced with the Exhibit enclosed with this letter, which your company has provided.

Thank you for your good service and assistance to the City of Jonestown. Please let me know if you have any concerns or questions about this matter. If the content of this letter meets with your approval and understanding, please sign and date in the space provided below and return a copy to me.

Yours truly,

~~Steve Jones~~
~~City Administrator~~

Accepted by Progressive Waste Solutions of TX, Inc. d/ b/a WC of Texas:

District Manager

Date: _____

EXHIBIT A—CURRENT RATES AS OF 1/1/2021 -CITY OF JONESTOWN

		<u>BASE RATE</u>	<u>10%FF</u>	<u>TOTAL</u>		
Total Residential Rate 96 gal w/bi-weekly recycle (CURRENT SERVICE)		\$20.10	\$2.01	\$22.11		
Price for additional Trash cart	96 Gallon	\$7.09	\$0.71	\$7.80		
Price for additional Recycle cart	96 Gallon	\$3.40	\$0.34	\$3.74		
Commercial Container Service						
	<u>once per week</u>			<u>twice per week</u>		
Size Cubic Yards	<u>BASE RATE</u>	<u>10%FF</u>	<u>TOTAL</u>	<u>BASE RATE</u>	<u>10%FF</u>	<u>TOTAL</u>
3	\$112.67	\$11.27	\$123.94	\$140.83	\$14.08	\$154.91
4	\$140.83	\$14.08	\$154.91	\$185.54	\$18.55	\$204.09
6	\$169.01	\$16.90	\$185.91	\$211.26	\$21.13	\$232.39
8	\$204.84	\$20.48	\$225.32	\$256.07	\$25.61	\$281.68

Roll off construction and Container Rates			
Haul and Disposal	<u>BASE RATE</u>	<u>10%FF</u>	<u>TOTAL</u>
20 yard	\$470.15	\$47.01	\$517.16
30 yard	\$531.94	\$53.19	\$585.13
40 yard	\$579.56	\$57.96	\$637.52
(All include 3 tons disposal. Over 3 tons = \$33.80/ton.			

	<u>BASE RATE</u>	<u>10% FF</u>	<u>TOTAL.</u>
Deliveries and Dry runs	\$153.64	\$15.36	\$169.00
Rent per Day	\$5.12	\$0.51	\$5.71 per day After 15 days.

ADDITIONAL SERVICES:

4 YD & 6 YD CONTAINERS (City Use) \$ NO CHARGE
(Units are used for storage of recyclable metals and white goods)

TOTAL

1. ADDITIONAL ROLL OFFS (CITY USE) 20 YD. \$376.11

2. ADDITIONAL ROLL OFFS (CITY USE) 30 YD. \$425.56

3. ADDITIONAL ROLL OFFS (CITY USE) 40 YD. \$463.64

4. ANNUAL CITY-WIDE CLEAN UP INCLUDED IN MONTHLY PRICE

	<u>BASE RATE</u>	<u>10%FF</u>	<u>TOTAL</u>
COST PER EVENT PER HOUSEHOLD	\$0.28	\$0.03	\$0.31* One curbside
cleanup event per year is included in the residential prices quoted above. A second event per year adds twenty-seven cents to the quoted monthly residential Base Rate.			

Waste Providers Cost Comparison					
City	Provider	Rate		Frequency	Add'l.Amenities
Georgetown	TDS	\$ 30.35		trash,weekly/recycle,bi-weekly	
Lago Vista	WC	\$ 23.79		trash,weekly/recycle,bi-weekly	
Kyle	TDS	\$ 22.14	(dec. 2019)	trash,weekly/recycle,bi-weekly	
Lakeway		\$ 22.14		trash,weekly/recycle,bi-weekly	\$75 deposit
Jonestown	WC	\$ 22.11	(inc. 2019)	trash,weekly/recycle,bi-weekly	Annual Clean Up Day, City receives 6 free 40-yards per year
Manor	WC	\$ 22.03		trash,weekly/recycle,bi-weekly	Allow residents to bring bulk items to PW Yard on Fridays
Round Rock	RR	\$ 20.97		trash,weekly/recycle,bi-weekly	Provides their own service
Cedar Park	CP	\$ 20.23		trash,weekly/recycle,bi-weekly	Provides their own service
Liberty Hill	Clawson	\$ 19.89		trash,weekly/recycle,bi-weekly	
Pflugerville	WC	\$ 18.94	+ tax	trash,weekly/recycle,bi-weekly	
Florence	ACDI	\$ 13.65	(no franchise	trash,weekly/recycle,no	Does not have curbside recycling,provides a container at PW
Average ¹		\$ 21.36			
Median ¹		\$ 22.03			
TDS - Texas Disposal Services					
WC - Waste Connections					
ACDI - AL CLawson Disp.Inc.					
Notes:	1) Does not include highest and lowest				

**City of Jonestown,
Texas**

AGENDA REPORT

Meeting Date: 2/11/2021

Agenda Item Number:

14

(City Secretary's Use Only)

Department: Public Works

Prepared by: Carol Gyergyó

Budgeted Amount: \$ 0

Date Prepared: 2/03/2021

Exhibits: TXDot TA Application

Subject

TXDot Application for Transportation Alternatives – Preliminary Application

Recommendation

Staff recommends Council authorize the submission of the Preliminary Application for the Texas Department of Transportation 2021 Transportation Alternatives (TA) Call for Projects.

Discussion

The Preliminary Application is due March 1st, 2021. This grant is for FY 2021-2022. It is a 20% local match with an 80% reimbursement. The grant would be used to complete an ADA sidewalk from 1431 to Lakeside Drive.

Approval By

Department Representative

Signature
Carol Gyergyó

City Administrator

[Signature]

Date

2/03/2021
2/3/20



2021 Transportation Alternatives (TA) Call for Projects

Preliminary Application (PA)
Deadline to Submit PA: March 1, 2020

Project Sponsor

[Link to PA Instructions](#)

1. Contact information

Local Government/Project Sponsor Name: _____

Contact Person: _____ Title: _____

Street Address: _____ City: _____

Zip Code: _____ Office Phone Number: _____ Email: _____

2. Identify population area (based on project location)

An eligible project sponsor may represent a population sub-area within its jurisdictional boundaries. Example: a county project is located within the boundaries of a City, Census Designated Place, Village, or Unincorporated Area – select the smaller population area where the project is located. For population numbers, use [Census data](#) from the [2010 Decennial Census](#).

Location Name: _____ Population size: _____

3. Is the project within the boundaries of a [Metropolitan Planning Organization \(MPO\)](#)? ☐ Yes ☐ No

If the project is within a MPO boundary, is the project within a Census Urbanized Area greater than 200,000, designated as a [Transportation Management Area](#)? ☐ Yes ☐ No

Project Information

4. Project name: _____

Be concise and logical.

5. Eligible project type

Projects may include multiple project types; select all types that apply. (See instructions for details.)

☐ Bikeway improvements

☐ Improvements for non-motorized transportation safety

☐ Shared use paths

☐ Sidewalk improvements

6. Project location

☐ On/along a TxDOT maintained roadway

☐ On/along a non-TxDOT roadway

☐ Not within the right-of-way of any roadway

Project location notes: Projects or components of projects located entirely within school or park property that are for internal circulation only are not eligible for TxDOT's TA funding.

7. Provide a Google map link: _____

See PA instructions for recommended tutorial links and minimum requirements.

8. Preliminary Scope of Work

Briefly describe the project, including **project location, limits, facility type, and width**. Descriptions that exceed the space provided below are not acceptable. (See instructions for details.)

9. Funding opportunities

Select funding opportunity the Project Sponsor is interested in pursuing for this project.

Transportation Alternatives Program

- For small urban and nonurban areas: State and/or federal funding for construction activities (and development activities when applicable) with a minimum 20% local match required. Project sponsors may be eligible for a reduction in the local match. Refer to the Program Guide for details.
- TxDOT administers TA funds for projects located outside Transportation Management Areas (TMAs). TMAs are identified by the smoothed 2010 U.S. Census Urbanized Area boundaries for population areas greater than 200,000.

NONURBAN - Population area of 5,000 or less (outside a TMA)

Current funding or Conditional Project List

☐

SMALL URBAN - Population area between 5,001 and 200,000 (outside a TMA)

Conditional Project List only

☐

10. Project costs

Provide a planning cost estimate for the total estimated cost for the following project activities:

Estimated cost to prepare construction plans, specifications, and estimates: _____

Estimated cost to prepare environmental documentation: _____

Estimated construction cost: _____

Attach a copy of the cost estimate. The breakdown of federal, state, and local percentages will be determined in Step 2 of the application process, if authorized to proceed.

11. Local match

Identify source(s) of local matching funds: _____

Examples include: municipal budget, Transportation Development Credits, or donated funds from a third-party.

12. Transportation Development Credits

If a project sponsor's population is less than 50,000 and meets certain economic criteria, they may request the use of Transportation Development Credits that allow for 100% federal TA funds to be applied to the project in lieu of a local match. Does the project sponsor request the use of Transportation Development Credits for this project? ☐ Yes ☐ No

13. Project complexity

Is this project in a locally or regionally approved planning document? ☐ Yes ☐ No ☐ Unk
(May include City/County/MPO, master/comprehensive, bicycle/pedestrian, capital improvement, or other transportation plans.)

Will the project reduce automobile traffic capacity? ☐ Yes ☐ No ☐ Unk

Does the project cross a railroad (RR) or is the project within 50' of RR right-of-way? ☐ Yes ☐ No ☐ Unk

Will the project involve relocation of utilities? ☐ Yes ☐ No ☐ Unk

Will this project involve acquisition of right-of-way or require an easement (including railroad), access change, or relocation?

☐ Yes ☐ No ☐ Unk

Does the project use land purchased or improved with Land and Water Conservation Funds?

☐ Yes ☐ No ☐ Unk

Does the project use land in: (Check all appropriate boxes)

Publicly owned: ☐ Park(s), ☐ Recreation area(s), ☐ Wildlife/waterfowl refuge(s), OR ☐ Publicly/privately owned historical or archeological sites?

☐ Yes ☐ No ☐ Unk

Does the project occur within or around properties listed on the National Register of Historic Places?

☐ Yes ☐ No ☐ Unk

Is the project located within range and/or potential habitat of state or federally protected species?

☐ Yes ☐ No ☐ Unk

Is there a likely possibility of encountering hazardous materials?

☐ Yes ☐ No ☐ Unk

Does the project involve placement of fill in wetlands or waters of the U.S.?

☐ Yes ☐ No ☐ Unk

Is the project located in the Edwards Aquifer Recharge/Contributing Zone or Coastal Management Zone?

☐ Yes ☐ No ☐ Unk



2021 Transportation Alternatives (TA) Call for Projects Preliminary Application (PA) INSTRUCTIONS

TxDOT's 2021 TA Call for Projects involves a two-step application process:

- Step 1** Preliminary Application (PA): When completed, the PA will provide high-level project information to determine eligibility. A separate application is required for each project. Project Sponsors will be contacted by their local TxDOT District to schedule a meeting to discuss their proposed project. Project Sponsors will receive notification to advance to step 2.
- Step 2** Detailed Application (DA): Project sponsors will complete a *Detailed Application* for each eligible project. When completed, the DA will provide detailed project information, including a written scope of work, location map(s), project layout and context, photograph(s), typical section(s), a comprehensive cost estimate, project timeline, property information, overview of potential environmental concerns, and a commitment for local government project funding.

The **Preliminary Application (Step 1) INSTRUCTIONS** below provide additional information and guidance for completing the Preliminary Application. The Program Guide describes program requirements and guidelines for TxDOT's 2021 TA Program Call. Detailed Application and instructions will be provided at the conclusion of Step 1.

Project Sponsor

- 1. Contact information** (self-explanatory)
- 2. Identify population area (based on project location)**
Population size should be based on the 2010 U.S. Census population for the jurisdiction or area in which the proposed project is located. Project sponsor population should be confirmed by searching the US Census website, here: <https://data.census.gov/cedsci/>.
- 3. Is the project within the boundaries of a Metropolitan Planning Organization (MPO)?**
If the project is within a MPO boundary, is the project within a Census Urbanized Area greater than 200,000, designated as a Transportation Management Area?
 - [Map of TMA and MPO boundaries](#)
 - [List of Texas MPOs](#)

Projects located within a transportation management area (TMA) (Census urbanized area with population greater than 200,000) are not eligible for TxDOT's TA funds. Projects, or substantially similar projects, submitted in a metropolitan planning organization (MPO) administered TA Call for Projects can be submitted for TA funding under this program call as long as the MPO TA call for projects is not occurring concurrent with the TxDOT TA Call for Projects AND the project is located outside of a TMA.

Project Information

- 4. Project name**
It is recommended to include the project location and facility type in the project name (examples: Main Street/US 79 Sidewalks, Delwood Elementary separated bike lanes, and White Oak Bayou SUP); use logical abbreviations where appropriate to reduce the length of the project name, such as "SUP" for Shared Use Path.
- 5. Eligible project type**
A project may include multiple project types; select all that apply. It is understood that sidewalks, shared use paths, and bikeways will include appropriate intersection treatments. Eligible project types include:
 - Bikeway improvements (infrastructure serving primarily bicyclists)

- Shared use paths (infrastructure serving bicyclists and pedestrians)
- Sidewalk improvements (infrastructure primarily serving pedestrians)
- Improvements for non-motorized transportation safety (examples include traffic calming measures, pedestrian or bicycle signals, pedestrian refuge islands, curb extensions, bicycle parking, etc. **Select this option only when the project does not include a bikeway, sidewalk, or shared use path.**

Additional descriptions of each eligible project type are found in 43 TAC 11.404.

- 6. Project location** (Check all that apply) Project location notes: Projects or components of projects located entirely within school or park property that are for internal circulation only are not eligible for TxDOT's TA funding.

7. Provide a Google map link

Applicants must create a simple Google digital map and provide a map link in the PA. Several Google tutorial web links are provided below for assistance. Minimum requirements include:

1. Map Name must include project sponsor's name and project name.
2. Map settings must be changed to enable link sharing.
3. Map must at least feature a starting and ending point for the proposed project.
4. Do NOT include existing or future facilities that are not part of the proposed project.

Google Map Tutorials:

Create a new map	https://support.google.com/mymaps/answer/3024454?hl=en&ref_topic=3188329
Add places to your map	https://support.google.com/mymaps/answer/3024925?hl=en
Draw lines and shapes	https://support.google.com/mymaps/answer/3433053?hl=en&ref_topic=3024924
Add/save directions	https://support.google.com/mymaps/answer/3502610?hl=en&ref_topic=3024924
Share, download, or print map	https://support.google.com/mymaps/answer/3109452?hl=en&co=GENIE.Platform=Desktop

The screenshot shows the Google My Maps web interface. Callout 1 points to the map title 'ProjectSponsor_ProjectName'. Callout 2 points to the 'Share' button, which is circled in red. Callout 3 points to the 'Starting Point' and 'Ending Point' markers on the map. The interface also shows 'Add layer', 'Preview', and 'Project Location' settings.

1 Map Name should include project sponsor and project name (e.g. *SanAngelo_GreenSt_SUP*)

2 Click "Share":
1) Click slider to "Enable link sharing"; and
2) Copy Google map link for pasting into PA form.

3 A minimum of two places/points are required from each applicant: starting point and ending point. More complicated projects may necessitate drawing lines and/or shapes.

8. Preliminary Scope of work

Provide a brief description of the proposed project, which includes the **project location, limits, facility type, and width**. Major construction items, such as bicycle/pedestrian bridges, or elements that would affect automobile traffic patterns (new signals, new medians, road diets, traffic calming, etc.) should be included. An example Scope of Work:

Proposed project will construct a 10-foot-wide shared use path (SUP) along the north side of US 171 from Main St to 4th Street in Uvalde, TX. The proposed SUP will include a pedestrian island, crosswalks, a Pedestrian Hybrid Beacon, and signage to traverse a 5-lane highway intersection. Additional signage and crosswalks will be added to cross two other local streets.

9. Funding opportunities

TxDOT administers TA funds for projects located outside Transportation Management Areas (TMAs). TMAs are identified by the smoothed 2010 U.S. Census Urbanized Area boundaries of population areas greater than 200,000. TxDOT's TA funds are divided into two funding groups based on population: Nonurban – population areas of 5,000 or less; Small Urban – population areas between 5,001 and 200,000.

Refer to TxDOT's 2021 TA Program Guide for information about eligible activities, types of work, and allowable costs.

Federal TA funds require a 20% local match. Refer to TxDOT's 2021 TA Program Guide for information about opportunities for local match reduction.

Conditional Project Lists will be developed to assist TxDOT in prioritizing Nonurban and Small Urban projects for anticipated future federal TA appropriations in FY 2023 – 2024.

Funding Group	Project Sponsor Population Size	Local Match Required	Type of Work	Approximate Funding Available
Nonurban	5,000 people or less	20%	Preliminary Engineering & Construction	\$10.5 million
				Conditional Project List
Small Urban	5,001 to 50,000 people		Preliminary Engineering & Construction	Conditional Project List
	50,001 to 200,000 people		Construction only	

10. Project costs

Provide a planning-level cost estimate for the total estimated cost for preparation of plans, environmental documentation, and construction. Refer to TxDOT's 2021 TA Program Guide for information about eligible activities, types of work, and allowable costs. Attach details of the cost estimate to the PA email submittal. Label the cost estimate **Attachment A in the upper right-hand corner**.

11. Local match

The local match will vary depending on the funding program requirements, availability/eligibility of Transportation Development Credits (TDC), and/or eligibility for TxDOT's Economically Disadvantaged Counties Program. For additional details, see TxDOT's 2021 TA Program Guide.

12. Transportation Development Credits

If a project sponsor's population is less than 50,000 and meets certain economic criteria, they may request the use of Transportation Development Credits that allow for 100% federal TA funds to be applied to the project in lieu of a local match. Reference [this map](#) to determine eligibility. For additional information, please refer to TxDOT's 2021 TA Call for Projects Program Guide.

13. Project Complexity

These questions allow TxDOT to better understand potential project issues that may lead to project delays. Better understanding of potential issues before the project is scoped and a detailed cost estimate is developed will help the project sponsor prepare a more competitive Detailed Application. Responses will not impact project eligibility or scoring.

Preliminary Application Submission Deadline/Delivery Requirements

Preliminary Applications must be submitted in the form prescribed by the department in accordance with the program rules and the program guide. The complete project nomination package must be received by the department no later than **5:00 p.m., CDT, on Monday, March 1, 2021**. A separate and complete Preliminary Application, with attachments, is required for each TA project proposed. Supporting documents must be clearly labeled with the Project Name and Project Sponsor in the upper right-hand corner and in 8 ½" X 11" format. TxDOT's 2021 TA Preliminary Application Form is available at: <http://www.txdot.gov/inside-txdot/division/public-transportation/bicycle-pedestrian.html>

Preliminary Application Package:

1. The original 2021 TA Preliminary Application completed in PDF and delivered to the department in its original PDF format.
2. A separate PDF of the preliminary project cost estimate (if available).

Project Submission to the Department:

The completed 2021 TA Preliminary Application package must be submitted to TxDOT using the department's online Dropbox.

Access TxDOT's online Dropbox at: <https://ftp.dot.state.tx.us/dropbox/?action=mainmenu>. If you are prompted for a username and password, look for the following message to the bottom left of the log-in box and follow the link: "If you are not a Texas Department of Transportation user, go **here**." On the Dropbox landing page (four rectangular buttons on the left side) click the **Drop-off** button and enter the information requested.

Information about the Sender

Your Name:

Your Organization:

Your email address:

- a. **Within Box 1 at the bottom, be sure a check mark appears in front of the line reading:**
"Send an email to me when the recipient picks up the file(s)"

Information about the Recipient

Name: TA Program Manager

Email: BikePed@txdot.gov

Choose the File(s) you would like to upload

Use the Browse button to locate the files on your computer to open and upload.

- b. Submit only one application per Dropbox submission.
- c. You should only upload two files per submission (one PDF Preliminary Application form and one PDF cost estimate, if available).
- d. Once the two files are attached, click the **Drop-off the File(s)** button located at the bottom in Box 3.

Once you have clicked the **Drop-off the File(s)** button, you will be directed to a completion page with confirmation information, including the date and time of your drop-off. The confirmation may take a few minutes to process. **Save a copy of the confirmation page for your records.** The confirmation page may be requested by the department in the event there are questions concerning project submission(s). Again, submit only one complete TA Preliminary Application package per Dropbox submission.

The drop-off confirmation does not constitute receipt of the files. You will receive an automatic follow-up email when the files are retrieved from Dropbox by the department's representative. **The follow-up email will be your confirmation that the files were officially received by the department.** If you do not

receive a follow-up confirmation email within a few days, verify the package was submitted to the correct email address and contact the department's TA Program Manager. Refer to **TxDOT District TA Coordinators** (<https://ftp.dot.state.tx.us/pub/txdot/ptn/bicycle/ta-srts-coordinators.pdf>).

The department reserves the right to deem a TA Preliminary Application package ineligible for funding if not received by the department on or before **5:00 p.m. CDT on March 1, 2021**.

**City of Jonestown,
Texas**

AGENDA REPORT

Meeting Date: February 11, 2021

Agenda Item Number:

15

(City Secretary's Use Only)

Department: Development Services

Prepared by: Cynthia Jolly

Budgeted Amount: \$ 0

Date Prepared: February 4, 2021

Exhibits: Application

CUP Ordinance-Large Vehicle Parking

Zoning Map

Subject

Conditional Use Permit for Large Vehicle Parking

Recommendation

Consider approval on a request by Austin Underground Inc. for a Conditional Use Permit in accordance with Chapter 14: Zoning Code, Sec. 14.02.081(b)(12) Conditional Uses, of the City of Jonestown Code of Ordinances, for large vehicle parking in a B-2 Business General commercial zoning district at 18726 FM 1431, (Personal Property Special Inv Austin Underground Inc.), Jonestown, Texas.

Discussion

Mr. Rick Vavro, owner of Austin Underground Inc. located at 18726 FM 1431, Jonestown, Texas, is requesting a Conditional Use Permit (CUP) to park large commercial vehicles at his business. A portion of this property is in the city limits and zoned "B-2" business general district.

Sec. 14.02.08(b)(12)(b) defines large vehicle as any vehicle having a gross vehicle weight rating of 17,000 pounds or more. Large vehicle parking may only be allowed in the B-2 District. A maximum of vehicles per acre to be permitted on the property will be determined by council as part of each CUP. Parking areas shall be used solely for the parking of licensed, registered motor vehicles in operating condition. All parking areas, drive aisles, internal roadways and loading areas for all uses shall be paved and kept in a dust-free condition at all times. Screening is required. No hazardous material may be stored on the property. Parking space and parking lot design requirements are outlined in the ordinance (copy attached).

An email dated February 2, 2020 from Andrew Croessman, Controller for Austin Underground LLC, requested to withdraw their conditional use permit. They state they have adequate property to relocate their large vehicles outside the city limits. Mr. Vavro has emailed a site plan to City Administrator Jones to verify city limit boundaries.

Approval By

Signature

Date

Department Head

C. Jolly

2/4/2021

City Administrator

[Signature]

2/4/21

Cynthia Jolly

From: Andrew@austin-underground.com
Sent: Tuesday, February 2, 2021 4:19 PM
To: Cynthia Jolly; Steve Jones
Cc: rick@austin-underground.com
Subject: RE: Site Plan / Ordinance for Large Vehicle Parking
Attachments: Shop Satellite City Limits.pdf; Shop Survey City Limits.pdf

Good afternoon Cindy and Steve: We have determined where the Jonestown corporate limits intersects Austin Underground's contractor yard. Based on this additional information, we believe that we do not need a conditional use permit. There is adequate property to relocate Austin Underground's large vehicles outside the determined corporate limits on the attached maps. Therefore, we would like to withdraw our conditional use permit at this time. Thank you!

Andrew Croessman
Controller
Austin Underground Inc.
O: (512) 535-3285
F: (512) 535-3286
C: (618) 318-5382



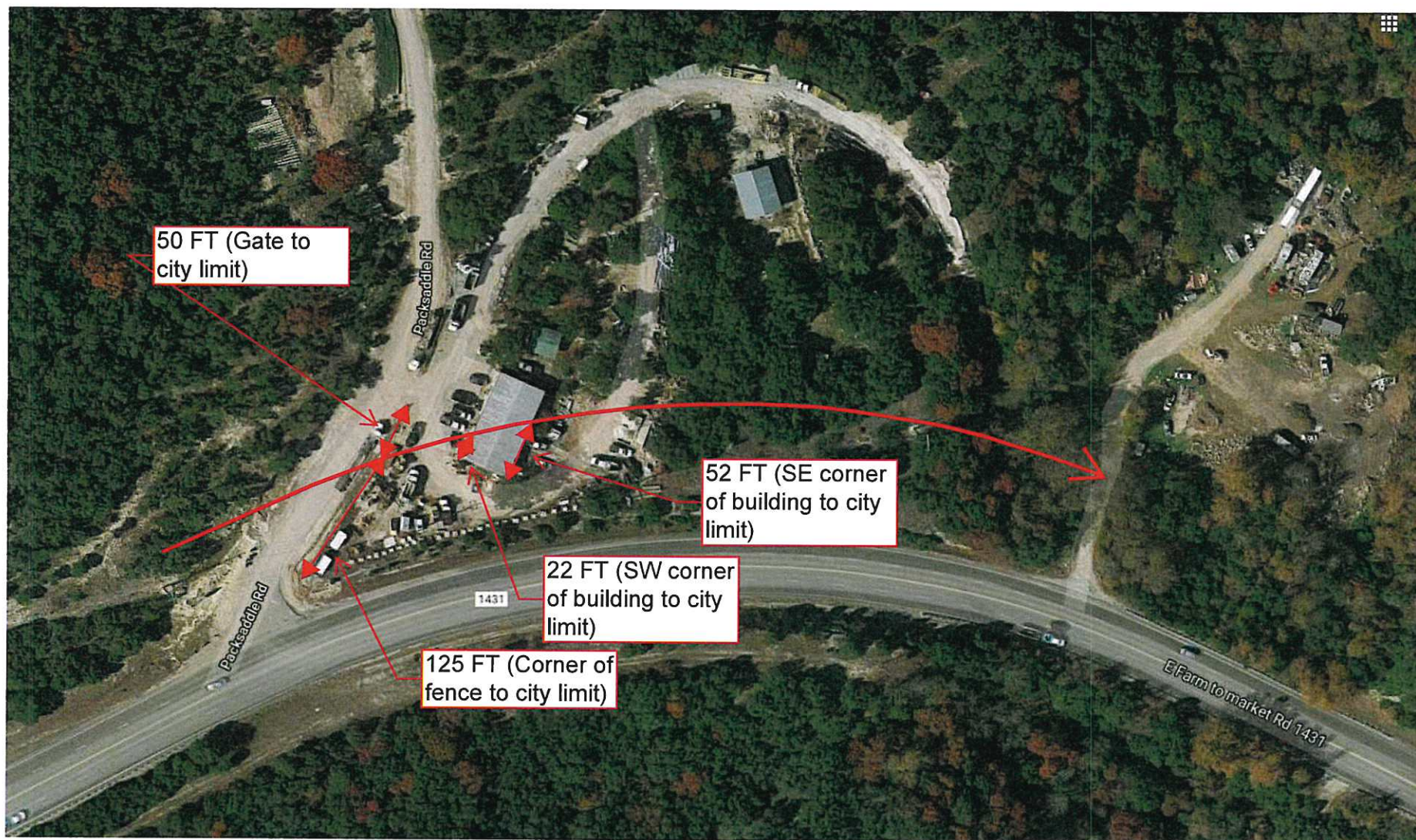
From: Cynthia Jolly <cjolly@jonestown.org>
Sent: Thursday, January 28, 2021 4:52 PM
To: Andrew@austin-underground.com; rick@austin-underground.com
Cc: Steve Jones <sjones@jonestown.org>
Subject: RE: Site Plan / Ordinance for Large Vehicle Parking

Hi Andrew & Rick,
I have discussed your application with our City Manager. Site plans are not a requirement for a CUP application, however, P&Z and Council often request a site plan. We will keep your application on schedule for the February 3rd Planning & Zoning Commission meeting with the documents you have already provided. You mentioned you were operating under the premise to provide a site plan on February 3rd, and we can make this work for you. As long as I have your site plan before 5pm on February 3rd, I will ensure the Commissioners receive it prior to the meeting.

I hope this solution works for you and apologize for any miscommunication.
Thank you.

Cynthia Jolly
Development Services Director
City of Jonestown, Texas
18649 FM 1431 Suite 1A
Jonestown, TX 78645
512.267.0359 | cjolly@jonestown.org

*This e-mail message may contain confidential and/or privileged information. If you are not an addressee or otherwise authorized to receive this message, you should not use, copy, disclose or take any action based on this e-mail or any information contained in the message. If you have received this material in error, please advise the sender immediately by reply e-mail and delete this message. **ATTENTION PUBLIC OFFICIALS:** a*

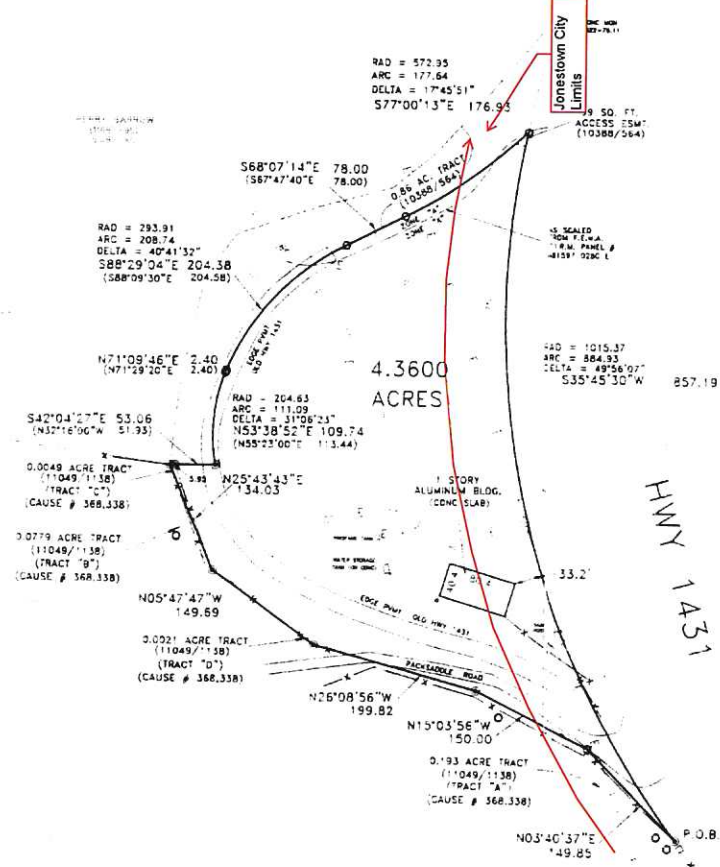


50 FT (Gate to city limit)

52 FT (SE corner of building to city limit)

22 FT (SW corner of building to city limit)

125 FT (Corner of fence to city limit)



SURVEY OF
4.3600 ACRES
OUT OF THE HUMBLE AND CHAPMAN SURVEY # 54
ABSTRACT NO. 2683, TRAVIS COUNTY, AND BEING
A PORTION OF A 6.38 ACRE TRACT AS RECORDED
IN VOL. 5474, PG. 1923, DEED RECORDS,
TRAVIS COUNTY, TEXAS

Edward L. Peacock
Made & Vol'd
Signed & Accepted
7/21/2000
Edward L. Peacock

NOTES:
1. SUBJECT TO PLAT OF JUNE 16, 1993, RECORDED IN VOL. 5474, PG. 1923, DEED RECORDS, TRAVIS COUNTY, TEXAS.

S.F. 11000022-050-ZFK
DATE: June 13, 2000
Ref.: Ed. Peacock
To: First American Title Insurance Company of Texas

The undersigned does hereby certify that the plat shown represents the results of a survey on the ground under my supervision and is true and correct and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility easements, except as shown and the property has access to and from a dedicated roadway.

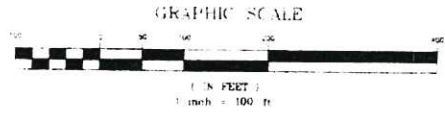
The property shown hereon is located in Zone "A" Areas within the 100 year floodplain "A" Areas outside the 500 year floodplain as shown on Community Panel Number 381022 0280 P of the FLOOD INSURANCE RATE MAP prepared for Travis County by the Federal Insurance Administration Department, H.U.D.
Effective Date: June 16, 1993



CRICHTON
AND ASSOCIATES
LAND SURVEYORS

4.3600 ACRES
OUT OF THE HUMBLE & CHAPMAN SURVEY
SURVEY NO. 54, ABSTRACT NO. 2683

DATE: June 26, 2000	JOB NO. 00_264
SCALE: 1" = 100'	DWG. NO.



Meeting Date: Feb 11, 2021

Agenda Item Number:

16

(City Secretary's Use Only)

Department: AdministrationPrepared by: S. JonesBudgeted Amount: \$ NoneDate Prepared: 1/29/21Exhibits: Draft code amendment

_____**Subject**

Amending the city's sex offender regulations (Article 8.06 City Code) regarding a request for an exemption from certain provisions of the regulations; and making clarifications.

Recommendation

Approve the enclosed ordinance amending Article 8.06 of the City Code regarding the process for requesting an exemption from terms of the article; and making clarifications.

Discussion

The proposed amendment would eliminate the provision of the code that authorizes the chief of police to grant an exemption from the code. The amendment also adds conditions which must be met in order to obtain an exemption from the city council. Currently there are no specific requirements, nor guidance for the city council, when considering a request for exemption.

Approval By*Signature**Date*

Department Head

City Administrator

2/3/21

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JONESTOWN, TEXAS, AMENDING ARTICLE 8.06, "SEX OFFENDER REGULATIONS" OF THE CODE OF ORDINANCES TO PROVIDE ELEMENTS TO GUIDE THE CITY COUNCIL WHEN MAKING A DECISION CONCERNING APPLICATION TO THE COUNCIL FOR AN EXEMPTION OR AN APPEAL OF DENIAL OF AN EXEMPTION BY THE CHIEF OF POLICE TO THE PROHIBITION AGAINST A REGISTERED SEX OFFENDER HAVING A RESIDENCE WITHIN A SPECIFIED DISTANCE OF A CHILD SAFETY ZONE; AMENDING THE ARTICLE TO BE CONSISTENT WITH STATE LAW; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING PROVISIONS, AN OPEN MEETINGS CLAUSE, AND AN EFFECTIVE DATE

WHEREAS, Article 8.06 of the City of Jonestown Code or Ordinances, titled "Sex Offender Regulations," contains provisions applicable to registered sex offenders and persons convicted of specific crimes prohibiting and restricting such persons from being knowingly present in any place where city park intended for children commonly are likely to gather, specifically including city parks, playgrounds, swimming pools, water parks, and sports fields, and from communicating with, contacting, or approaching persons under the age of 18 at such locations; and

WHEREAS, the City Council of Jonestown has determined that Article 8.06 should be amended in order to ensure that the same is in compliance with Sec. 341.096, Texas Local Government Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESTOWN, TEXAS, THAT:

SECTION 1. Amendment of Article 8.06. Article 8.06 of Chapter 8 of the Jonestown Code of Ordinances (the "Code") is hereby amended in its entirety to read as follows:

ARTICLE 8.06 SEX OFFENDER REGULATIONS

Sec. 8.06.001 Definitions

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words in the plural number include the singular and words in the singular number include the plural. The word "shall" is always mandatory and not merely directory.

(a) Child safety zone. Premises where children commonly are likely to gather. The term includes a school, day-care facility, playground, city park, public or private youth center, public swimming pool, video arcade facility, or other facility

that regularly holds events primarily for children. The term does not include a church, as defined by Section 544.251, Insurance Code.

(b) Child sex offender.

(1) A person who pursuant to Vernon's Ann. C.C.P. art. 42.12, section 9A(a)(2), has been convicted or has entered a plea of guilty or nolo contendere for an offense under any one of the following provisions of the Texas Penal Code:

(A) V.T.C.A., Penal Code section 21.11 (indecentcy with a child);

(B) V.T.C.A., Penal Code section 43.25 (sexual performance by a child);
and/or

(C) V.T.C.A., Penal Code section 43.26 (possession or promotion of child pornography);

(D) Texas Penal Code 20A.02 (Trafficking of Persons)

(2) A person who has been convicted or has entered a plea of guilty or nolo contendere for an offense under V.T.C.A., Penal Code section 43.251 (employment harmful to children) and/or 43.05(2) (compelling prostitution);

(3) A person who has been convicted or has entered a plea of guilty or nolo contendere for an offense under any substantially similar federal law or law of another state, or law of a foreign country, or the Uniform Code of Military Justice, or the attempt to commit a sex offense against a person under the age of eighteen years; and/or

(4) A person who has registered as a child sex offender or was/is required to register as a child sex offender by any state law, federal law, law of a foreign country, or the Uniform Code of Military Justice, or pursuant to Vernon's Ann. C.C.P., chapter 62, is required to register as a child sex offender.

(b) City park.

(1) Land and facilities thereon owned or controlled by the city that are designated for use as parkland; or

(2) City recreational areas, including, but not limited to, a forest preserve, conservation area, jogging trail, hiking trail, water park, playground, swimming pool, soccer field, baseball field, or other sports field under the jurisdiction or control of the city.

(c) Database. The central database, also known as the state department of public safety public sex offender database, required to be maintained by the State Department of Public Safety pursuant to article 62.005 of the Texas Code of Criminal Procedure, as amended.

(d) Day care center. A child care facility that is registered, licensed or listed by the state.

(e) Minor. A minor is a person younger than seventeen (17) years of age.

(f) Permanent residence. A place where a person abides, lodges, or resides for fourteen (14) or more consecutive days.

(g) Person. Includes an individual, firm, corporation, or other business entity.

(h) Premises where children ~~commonly~~are likely to gather. Including but not limited to, ~~public-city~~ parks, playgrounds, private and public schools, amusement arcades, school bus stops, video arcade facilities and youth centers, indoor and outdoor amusement centers that cater primarily to children, amusement parks, public swimming pools, childcare facilities, and day care centers, as defined in sections 341.064 and 481.134 of the Texas Health and Safety Code and section 42.002 of the Texas Human Resources Code. For the purposes of this article, planted street medians are not public parks.

(i) Recurring visitor. A person who on at least three (3) occasions during any month spends more than 48 consecutive hours in the city.

(j) Registrant. A person who has a reportable conviction or adjudication or who, pursuant to chapter 62 of the Texas Code of Criminal Procedure, is required to register with the state department of public safety's database as a condition of parole, release to mandatory supervision, or community supervision.

(k) Reportable conviction or adjudication. A conviction or adjudication, including an adjudication of delinquent conduct or a deferred adjudication, that, regardless of the pendency of an appeal, is a conviction for or an adjudication for or based on those enumerated offenses set forth in article 62.001(5) of the Texas Code of Criminal Procedure, as amended.

(l) Temporary residence:

(1) A place where a person abodes, lodges, or resides for a period of fourteen (14) or more days in the aggregate during any calendar year and which is not the person's permanent address; or

(2) A place where a person routinely abodes, resides or lodges for a period of four (4) or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.

Sec. 8.06.002 Prohibitions

(a) It shall be unlawful for a child sex offender or registrant to knowingly be present at premises in a Child safety zone or where children ~~common-are likely to~~ gather, including any city park ~~solely or primarily intended for children~~, specifically including playgrounds, swimming pools, water parks, and sports fields.

(b) It shall be unlawful for a Cchild sex offender or Rregistrant to knowingly be present in a child safety zone or at premises where children ~~commonly~~ are likely to gather when a minor or minors are present or to approach, contact, or communicate with minor present in the city park, unless the offender is a parent or guardian of a person under 18 years of age.

(c) It shall be unlawful for a Cchild sex offender or Rregistrant to establish a permanent residence or temporary residence within 1,000 feet of a child safety zone or any premises where children ~~commonly~~ are likely to gather.

(d) It is unlawful for any person to lease, rent, or otherwise provide any residence, dwelling, place, structure, or part thereof, manufactured home, trailer, or other conveyance, with the knowledge that it will be used as a permanent residence or temporary residence by a Cchild sex offender or Rregistrant.

(e) Halloween. A Child sex offender or Registrant shall not on October 31st of any given year leave an exterior porch light on or otherwise invite or entice trick-or-treaters to the premises.

Sec. 8.06.003 Enforcement

If a police officer reasonably believes that an individual who is a child sex offender or registrant is in violation of the article, the officer shall require the individual to provide his/her name, address, and telephone number. If it is established that the individual is a child sex offender or registrant, then the officer shall notify the child sex offender or registrant that he/she is in violation of the article.

Sec. 8.06.004 Offenses; Evidentiary matters; measurements

(a) It shall be prima facie evidence that this article applies to a person if that person's record appears on the database and the database indicates that the victim was less than seventeen (17) years of age.

(b) For the purposes of determining the minimum distance separation, the distance shall be measured by following a straight line from the outer property line of the permanent or temporary residence to the nearest property line of the premises where children ~~commonly~~ are likely to gather. Provided that, in the case of multiple residences on one property, measurement shall be from the nearest wall of the building or structure occupied or the parking/driveway, whichever is closer, following a straight line to the nearest property line of the premises where children ~~commonly~~ are likely to gather.

(c) In cases of a dispute over measured distances, it shall be incumbent upon the person challenging the measurement to prove otherwise.

(d) A map depicting the 1,000-foot child safety zones shall be maintained by the city and is attached to the ordinance from which this section derives as exhibit A. The chief of police or their designee shall review, update or modify the map as

deemed necessary. The map will be available to the public at the city police department.

Sec. 8.06.005 Affirmative defenses and exceptions

It is an affirmative defense to prosecution that any of the following conditions apply, provided that there is no court order in effect applicable to the Cchild sex offender or Rregistrant that provides otherwise:

- (1) The Child sex offender or Rregistrant established the permanent or temporary residence and has complied with all of the sex offender registration laws of the state prior to the date of the adoption of this article.
- (2) The Child sex offender or Rregistrant was a minor when he or she committed the offense requiring such registration and was not convicted as an adult.
- (3) The Child sex offender or Rregistrant is a minor.
- (4) The Child sex offender or Rregistrant was in, on, or within a specified distance of a child safety zone for a legitimate purpose, including transportation of a child that the registered sex offender is legally permitted to be with, transportation to and from work, and other work-related purposes.
- (4) The premises where children commonly are likely to gather, as specified herein, within 1,000 feet of the registrant's permanent or temporary residence, was opened or established after the registrant established the permanent or temporary residence and the registrant has complied with all sex offender registration laws of the state. Said defense ceases if the Child sex offender or Registrant moves out of the established residence.
- (5) The information on the database is incorrect and, if corrected, this article would not apply to the person who was erroneously listed on the database.

Sec. 8.06.006 Request for exemption

- (a) A Child sex offender or Registrant~~person~~ may request an exemption from the terms of this article based upon the grounds set forth herein.
- (b) A request for an exemption from the terms of this article shall be submitted in writing to the city secretary~~chief of police~~ and shall include the following information:
 - (1) The person's name, current ~~and~~ address and the proposed permanent or temporary address for the exemption;
 - (2) The offense(s) requiring registration on the database for which the person was convicted;
 - (3) Date(s) of conviction(s);

(4) The specific grounds supporting the person's request for an exemption; ~~and~~

(5) A signed release or releases, in a form suitable to the chief of police, authorizing the chief to obtain information about the applicant in order to perform an investigation; and

(6) Any other information requested by the chief of police.

(c) The chief of police shall review the application, conduct an investigation, and prepare a recommendation to the city council stating the chief's opinion of the danger the applicant poses to children in the child safety zone.

~~(c) The chief of police may grant an exemption request based upon the grounds set forth in this section. The chief of police shall issue a written ruling on an exemption request within fifteen (15) business days of receiving a completed application. The chief of police's denial of the exemption may be appealed to the city council by submitting a written request for appeal to the city secretary within ten (10) days from the date of the chief of police's ruling or the deadline for issuance of a ruling, in the event the chief of police does not make a ruling within the required time period. Upon receipt of a written appeal, the city secretary shall schedule the appeal for the next regularly scheduled city council meeting for which it may be held that will allow compliance with subsection (e).~~

~~(d) In addition to the grounds set forth in herein, the city council may grant an exemption~~ to the terms of this Article if it finds that the facts and circumstances demonstrate that the Child sex offender or Registrant's temporary or permanent residence within the child safety zone will not be a danger to children. An exemption requested under this subsection (d) may be granted by the city council only. A person who seeks an exemption under this section shall apply for an exemption as provided in subsection (b) of this section. Upon ~~receipt~~ review and investigation of a completed application, the chief of police shall forward the application to the city secretary who shall schedule the exemption request for the next regularly scheduled city council meeting for which notice can be lawfully posted. The person requesting the exemption shall be notified of the city council's decision in writing.

(e) In order to grant either an appeal under subsection (c) or an exemption under subsection (d), the following actions shall be taken and circumstances required:

1. A public hearing before the City Council shall be scheduled and held.
2. Written notice of the public hearing shall be provided at least ten days before the hearing to residents living within 5200 feet of the registrant's proposed permanent or temporary residence.
3. The Child sex offender or -Registrant must be classified as "low risk" by the Texas Department of Public Safety. An exemption granted under this section shall expire by default if the Child sex offender or Registrant is

subsequently classified as anything other than “low risk” by the Texas Department of Public Safety.

4. The applicant may not live in a residence in which children also reside unless the applicant has express permission from a court of law in the State of Texas or other State allowing him/her to live in the residence with a child.
5. The applicant must have no convictions for any crimes of moral turpitude within the past ten years for an exemption to be initially granted or for an exemption granted under this section to remain in effect.
- ~~7. The offender shall not participate in any manner in any Halloween events.~~
- ~~7.6. The city council shall not approve an exemption if a R~~residents within 500 feet of the applicant’s proposed residence petitions the city council to approve ~~deny~~ the ~~appeal or~~ exemption.
- ~~8.7.~~ A two-thirds majority vote of the Council is required ~~to approve an~~ appeal or an exemption under this section.
- ~~(f)~~ ~~(f)~~—An exemption granted under this section may include waiving the application of the registrant or reducing the size of the safety zone as it applies to the registrant.
- ~~(f)(g)~~ An exemption granted under this section expires by default if the applicant changes the permanent or temporary residence granted under the exemption.

Sec. 8.06.007 Penalty

Any person firm or corporation violating a provision of this article shall be guilty of a Class C misdemeanor and upon conviction of such violation shall be punished by a penalty in accordance with the general penalty provided in this code or the Texas Penal Code for each offense. Each day the violation continues shall constitute a separate offense.

SECTION 3. Amendment of Conflicting Ordinances. All ordinances or parts of ordinances and sections of the City Code of Ordinances in conflict with this ordinance are hereby amended to the extent of any conflict.

SECTION 4. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. Effective Date. This ordinance shall take effect immediately upon its passage and adoption by the City Council.

SECTION 6. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required by the Open Meetings Act. Chapt. 551, Loc. Gov't. Code.

PASSED and ADOPTED this ____ day of _____, 2021.

Paul Johnson, Mayor

ATTEST:

Rachel Austin, City Secretary

Meeting Date: 2/11/2021

Agenda Item Number:

17

(City Secretary's Use Only)

Department: AdministrationPrepared by: Steve JonesBudgeted Amount: \$ Not Applicable.Date Prepared: 1/25/21Exhibits: Draft ordinance amendment

_____**Subject**

An amendment to the city's golfcart ordinance allowing golf carts to cross FM 1431 at the traffic signal.

Recommendation

Approve the enclosed ordinance amending the city's golfcart regulations.

Discussion

Councilmember Linda Bush requested a change in the city's golfcart regulations that would allow golfcarts to legally cross FM 1431, but only at the traffic signal at FM 1431 and Park/Jonestown Street. The current regulations do not allow such road crossings.

Councilmember Bush also wishes to allow driving golfcarts at night, but the city attorney has advised against doing so, citing inconsistencies in the state law.

Approval By*Signature**Date*

Department Head

City Administrator

2/3/21

Sec. 12.01.006 Operation of golf carts in the city

A person may operate a golf cart on all streets and roadways in the city with the exception of FM 1431, Reed Parks Road, Old Burnet Road and Destination Way, if such person is in possession of a driver's license that is valid under the laws of the person's state of residence and the Texas Transportation Code, and if:

- (1) Crossing of F.M. 1431 ~~does not occur~~ occurs only at a controlled intersection;
- (2) Such operation occurs only during daylight hours;
- (3) The golf cart displays a slow-moving-vehicle emblem as required by Texas Transportation Code, section 547.703(d); and
- (4) The golf cart is equipped with the following, as required by Texas Transportation Code, section 551.404:
 - (A) Headlamps;
 - (B) Taillamps;
 - (C) Reflectors;
 - (D) Parking brake; and
 - (E) Mirrors.

(Ordinance 2017-O-507, sec. 3, adopted 3/9/17)

ORDINANCE NO. 2021-O-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JONESTOWN, TEXAS, AMENDING ARTICLE 12.01.006, "OPERATION OF GOLF CARTS IN THE CITY" OF THE CODE OF ORDINANCES TO ALLOW THE CROSSING OF FM 1431 AT A CONTROLLED INTERSECTION; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING PROVISIONS, AN OPEN MEETINGS CLAUSE, AND AN EFFECTIVE DATE

WHEREAS, Sec. 12.01.006 of the Code of Ordinances of the City of Jonestown allows persons to operate a golf cart in the City under certain circumstances; and

WHEREAS, the City Council desires to amend Sec. 12.01.006 to allow golf carts to cross FM 1431 at a controlled intersection;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESTOWN, that:

SECTION 1. The foregoing recitals are adopted and incorporated herein for all purposes.

SECTION 2. Section 12.01.006 of the Code of Ordinances of the City of Jonestown is amended so that it shall hereafter read in its entirety as follows:

Sec. 12.01.006 Operation of golf carts in the city

A person may operate a golf cart on all streets and roadways in the city with the exception of FM 1431, Reed Parks Road, Old Burnet Road and Destination Way, if such person is in possession of a driver's license that is valid under the laws of the person's state of residence and the Texas Transportation Code, and if:

- (1) Crossing of F.M. 1431 occurs only at a controlled intersection;
- (2) Such operation occurs only during daylight hours;
- (3) The golf cart displays a slow-moving-vehicle emblem as required by Texas Transportation Code, section 547.703(d); and
- (4) The golf cart is equipped with the following, as required by Texas Transportation Code, section 551.404:
 - (A) Headlamps;
 - (B) Taillamps;
 - (C) Reflectors;
 - (D) Parking brake; and
 - (E) Mirrors.

SECTION 3. Amendment of Conflicting Ordinances. All ordinances or parts of ordinances and sections of the City Code of Ordinances in conflict with this ordinance are hereby amended to the extent of any conflict.

SECTION 4. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. Effective Date. This ordinance shall take effect immediately upon its passage and adoption by the City Council.

SECTION 6. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required by the Open Meetings Act. Ch. 551, Loc. Gov't. Code.

PASSED and ADOPTED this ____ day of _____, 2021.

Paul Johnson, Mayor

ATTEST:

Rachel Austin, City Secretary

Ordinance No. _____

AN ORDINANCE OF THE CITY OF JONESTOWN, TEXAS, AMENDING CHAPTER 3 BUILDING REGULATIONS OF THE JONESTOWN CODE OF ORDINANCES TO ADD NEW DEFINITIONS TO OUTDOOR LIGHTING REGULATIONS; REPEALING AND REPLACING DIVISION 3. LIGHTING TO INCLUDE UNIFORM LIGHT STANDARDS THAT ENHANCE THE NIGHT SKY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, PROPER NOTICE AND MEETING, AND AN EFFECTIVE DATE.

WHEREAS, Chapter 3 of the City of Jonestown Code of Ordinances contains the City's building regulations and Article 3.08 thereof contains the City's site development standards, including outdoor lighting regulations; and

WHEREAS, the City Council of Jonestown desires to amend Article 3.08 to add definitions relating to minimizing light pollution; and

WHEREAS, the City Council of Jonestown desires to repeal existing lighting regulations and replace with uniform lighting standards that intend to enhance the ability of the City's residents to view the night sky and promote efficient and more cost-effective lighting.

WHEREAS, the City Council hereby finds and determines that the adoption of this ordinance is in the best interests of the health, safety and welfare of the citizens of the City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESTOWN, TEXAS, that:

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Chapter 3, Building Regulations, Article 3.08 Site Development, Lighting, and Landscaping of the City of Jonestown Code of Ordinances, Division I, Generally, subsection 3.08.004, Definitions is hereby amended to add the following definitions:

BUG. A luminaire classification system created by the Illuminating Engineering Society (IES) that classifies backlight (B), uplight (U) and glare (G).

Canopy lighting. Fixtures mounted under canopies for vehicular shelter or parking aimed downward and installed such that the bottom of the light fixture is recessed or flush with the bottom surface of the canopy. All light emitted by an under canopy fixture shall be confined to the ground surface directly beneath the perimeter of the canopy.

Emergency Conditions. Generally, lighting that is only energized during an emergency power source; lighting fed from a backup power source; or lighting for illuminating the path of egress

solely during a fire or other emergency situation; or, lighting for security purposes used solely during an alarm.

Flagpole lighting. A flagpole may be illuminated by one upward aimed fully shielded spotlight fixture or one downward fixture. The upward fixture shall be placed as close to the base of the flagpole as is reasonably possible. The downward fixture shall be affixed to the top of the flagpole.

Full cutoff fixture. A fixture, as installed, that is designed or shielded in such a manner that all light emitted by the fixture, either directly from the luminaires or indirectly from the fixture, is prevented from projecting above the horizontal plane running through the lowest point on the fixture where light is emitted. (See figure 2).

Holiday lighting. Lighting used for a specific celebration which may be one of the following types:

1. Festoon type low-output lamps, limited to small individual bulbs on a string with a maximum output of 70 lumens within any square foot if the bulbs are coated in a color, or a maximum output of 20 lumens within any square foot if the bulbs are clear.
2. Low-output lamps with a maximum output of 210 lumens within any cubic foot used to internally illuminate yard art.
3. Flood or spot lights with a maximum output of 2,000 lumens each, whose light source is not visible from any other property and which are used only as temporary lighting.

Light trespass. Light emitted from fixtures that cause light to be cast on a property other than the one where it is installed, upwards toward the sky or any other location where it is not wanted or needed.

Light Pollution. Any adverse effect of artificial light including, but not limited to, glare, light trespass, skyglow, energy waste, compromised safety and security, and impacts on the nocturnal environment.

Lumen. A unit of measurement used to quantify the amount of light produced by a bulb or emitted from a fixture. The lumen rating associated with a given lamp is generally indicated on its packaging or may be obtained from the manufacturer (abbreviated lm).

Lumens per net acre. The total number of initial lamp lumens produced by all fixtures utilized in outdoor lighting on a property divided by the number of acres or part of an acre, of the property being illuminated.

New Lighting. Lighting for areas not previously illuminated; newly installed lighting of any type except for replacement lighting or lighting repairs.

Outdoor lighting. Temporary or permanent lighting that is installed, located or used in such a manner as to cause light rays to shine outdoors. Nonresidential fixtures installed indoors that cause light to shine outdoors are considered outdoor lighting for the purposes of this article. Residential fixtures installed indoors generating more than 6,200 lumens (approximately equal to a 300-watt incandescent bulb) that cause light rays to shine outdoors are also considered outdoor lighting for the purposes of this article. See Figure 1 below.

Property Line. The edges of the legally-defined extent of privately owned property.

Temporary lighting. Lighting installed with temporary wiring and operated for less than 60 days in any calendar year. Lighting intended for uses of a limited duration, such as holiday decorations, civic events or construction projects.

Total Outdoor Light Output. The total amount of light, measured in lumens, from all outdoor light fixtures within the illuminated area of a property. The lumen value to be used in the calculation is the initial lamp lumens, as defined in this Article.

Uplight. For an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plane.

SECTION 3. Chapter 3, Building Regulations, Article 3.08 Site Development, Lighting, and Landscaping of the City of Jonestown Code of Ordinances, Division 3. Lighting is hereby repealed in its entirety and replaced with the language in Exhibit “A” attached hereto.

SECTION 4. All provisions of the Ordinances of the City of Jonestown in conflict on the Effective Date with the provisions of this Ordinance are hereby repealed to the extent of such conflict, and all other provisions of the Ordinances of the City of Jonestown not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 6. This Ordinance shall take effect on the date that the City receives “Dark Sky” certification from the International Dark-Sky Association immediately from and after its passage and the publication of the caption, as the law in such cases provide.

Commented [PA1]: Does city staff want to make this effective immediately or upon certification by DSA?

SECTION 7: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of Texas Government Code.

APPROVED AND ADOPTED by the City Council of the City Jonestown on this the ____ day of _____, 2021.

CITY OF JONESTOWN

Paul Johnson, Mayor

ATTEST:

Rachel Austin, City Secretary

EXHIBIT A
Division 3. Lighting

Sec. 3.08.091 Purpose

Dark night skies have social, ecological, cultural, economic, aesthetic and health benefits for the citizens of Jonestown. Dark night skies are an asset and important elements of Jonestown's appeal as a pleasant community in which to live and that city policy seeks to protect. The purpose of this article is to provide uniform outdoor lighting standards to assure public safety and health, promote efficient and more cost effective lighting, enhance the ability to view the night sky and promote a positive city image reflecting order, harmony and pride, thereby strengthening the economic, cultural, historical and residential stability of the city.

Sec. 3.08.092 Scope and applicability

All outdoor and/or exterior lighting installed, replaced, or repaired after the effective date of this article shall be installed in conformance with the provisions of this article, applicable electrical code, energy codes, and building codes except as otherwise provided herein.

Sec. 3.08.093 Jurisdiction

This article applies within the city limits of the City of Jonestown.

Sec. 3.08.094 Nonconforming existing lighting

All existing outdoor lighting that was legally installed before the effective date of this article and that does not conform with the standards, rules and regulations established by this article shall be deemed nonconforming. Nonconforming existing outdoor lighting shall be brought into compliance with this article as existing outdoor lighting is subsequently repaired, replaced or improved in a manner to comply with this article.

Sec. 3.08.095 Lighting zones

(a) Using Table 1 as a guide, the city shall determine and maintain lighting zones within the boundaries of its corporate limits ~~and extraterritorial jurisdiction.~~

(b) The lighting zone of a parcel or project shall determine the limitations for lighting as specified in this division.

Table 1. Lighting Zone Ratings and Characteristics

Zone	Characteristic Use	Ambient Illumination	Representative Locations
LZ 1	Recreational	Dark	Developed areas in city parks and recreation areas. Areas where residents have expressed the desire to conserve natural illumination levels.
LZ 2	Residential	Low	Rural areas, low-density urban neighborhoods and districts, residential historic districts. This zone is intended to be the default for residential areas.
LZ 3	Urban and Commercial	Medium	High-density urban neighborhoods, shopping and commercial districts, industrial parks and districts. This zone is intended to be the default condition for commercial and industrial districts in urban areas.

Sec. 3.08.096 Exemptions

The following luminaires and lighting systems are exempt from these requirements:

- (1) Outdoor landscape lighting fixtures. However, the collective output from these fixtures shall be included in the total outdoor light calculation.
- (2) Outdoor lighting for which light is produced directly by the combustion of fossil fuels (i.e., gas pumps).
- (3) Holiday lighting from November 15 to January 15 during the hours from 6:00 a.m. to midnight each day, except that flashing holiday lights are prohibited on nonresidential properties. Flashing holiday lights on residential properties are discouraged. Holiday lights may be illuminated one additional seven (7) day period per calendar year.
- (4) Lighting required by law to be installed on motor vehicles.
- (5) Lighting needed during activities of law enforcement, fire and/or other emergency services.
- (6) Lighting needed during emergency repairs of roads and utilities.
- (7) Temporary lighting for theatrical, television, performance areas or construction areas.
- (8) Flagpole lighting only if flag is displayed after dark.
- (9) Lighting required and regulated by the Lower Colorado River Authority, Federal Aviation Administration or other federal or state agency.

Sec. 3.08.097 Prohibited lighting

The following lighting systems are prohibited from being installed or used:

- (1) Mercury vapor lighting.
- (2) Searchlights, except when associated with a special event lasting no more than one night.
- (3) Holiday lighting except as exempted in Sec. 3.08.096.
- (4) Outdoor laser light projections, except when associated with a special event lasting no more than one night.
- (5) Any light fixture that may be confused with a traffic control device.
- (6) Any upward oriented lighting except as otherwise provided in this article.
- (7) Blue light luminaires.

Sec. 3.08.098 Lumens per Acre Limits

- (a) Total outdoor light output (excluding government-owned streetlights used for illuminating public rights-of-way and outdoor recreation facilities) of any nonresidential property shall not exceed 100,000 lumens per net acre in any contiguous illuminated area. This lumens per net acre value is an upper limit and not a design goal; design goals should be the lowest levels that meet the requirement of the task.
- (b) Total outdoor light output (excluding government-owned streetlights used for illuminating public rights-of-way and outdoor recreation facilities) of any residential property shall not exceed the following cap: A base of 10,000 lumens plus 800 lumens per entry/exit plus the number of feet around each permanent structure times 10 lumens.
- (c) Outdoor recreational facilities shall follow the International Dark-Sky Association Criteria for Community-Friendly Outdoor Sports Lighting v1.0, dated March 2018 for allowable target illumination and restrictions.

Comparison of Efficacy by Power
(120 Volt incandescent lamps)

Output (lumens)	Power (Watt)		
	Incandescent	CFL	LED
500	40	8-10	9
850	60	13-18	12-15
1200	75	18-22	15
1700	100	23-28	18

Sec. 3.08.099 Shielding and installation requirements.

- (a) All outdoor lighting except government owned streetlights shall be shielded so that the luminous elements of the fixture are not visible from any other property.

- (b) Government-owned streetlights, if rated by the B-U-G classification, shall be
- (1) Rated and installed with the maximum Backlight component limited to the values in Table 2. based on location of the light fixture where the property line is considered to be five feet (5') beyond the actual property line;
 - (2) Rated and installed with the Uplight component of zero (U0);
 - (3) Rated and installed with the Glare component no more than G1, although G0 is preferred.
- Government-owned streetlights, if not rated by the B-U-G classification, shall meet the qualifications to be full cutoff fixtures in order to limit light trespass.

Table 2. Government Owned Streetlights

Fixture is greater than 2 mounting heights from property line	B4 classification
Fixture is 1 to less than 2 mounting heights from property line	B3 classification
Fixture is - 0.5 to 1 mounting height from property line	B2 classification

- (c) The following outdoor lighting applications shall be illuminated by fixtures that are both fully shielded and full cutoff:

- (1) Pedestrian lighting;
- (2) Parking lots;
- (3) Roadways and pathways;
- (4) Buildings and structures;
- (5) Recreational areas;
- (6) Billboards;
- (7) Product display area lighting;
- (8) Building overhangs and open canopies;
- (9) Driveway entrances; and
- (10) Residential streetlights, and residential pole-mounted and eave-mounted security lights.

- (d) Fully shielded and full cutoff fixtures must be constructed and installed in such a manner that all light emitted by the fixture meets or falls below the specification given. This includes all the light emitted by the fixture, either directly from the lamp or by a diffusing element, or indirectly by reflection or refraction from any part of the fixture. Any structural part of the

fixture providing this shielding must be permanently affixed.

(e) Timers, motion sensors, dimmer switches and manual controls shall be used to turn lights off when not in use.

(f) Externally lit signs must be downward lighted and fully shielded.

(g) Landscape/hardscape areas may be partially shielded per Table 3.

(h) Canopy lighting must be fully shielded. However, indirect up-light is permitted under an opaque canopy provided that no lamp or vertical element of a lens or diffuser is visible from beyond the canopy and such that no direct up-light is emitted beyond the opaque canopy.

(i) In residential lighting applications, homeowners and designers shall assess the potential for over-lighting and adjust to the lowest light necessary, to avoid glare and light trespass.

(j) Residential floodlights must be projected downward and/or shielded to the extent necessary to prevent light trespass to neighboring properties.

(k) No blue light luminaires shall be permitted; Color temperature of lamps shall be no greater than 3,000 Kelvin.

(l) Outdoor recreational and/or athletic field lighting may be exempted from the strict shielding and short-wavelength emission requirements above provided that all of the following conditions are met:

(1) Illuminating Engineering Society (IES) lighting guidelines (RP-6) are followed according to the appropriate class of play

(2) Field lighting is provided exclusively for illumination of the surface of play and viewing stands, and not for any other applications

(3) Illuminance levels must be adjustable based on the task (e.g., active play vs. field maintenance)

(4) Off-site impacts of the lighting will be limited to the greatest practical extent possible

(5) The curfew requirement in Sec. 3.08.100 is observed

(6) Timers shall be installed to prevent lights being left on accidentally overnight

(m) Maximum lumens and shielding requirements shall apply in the lighting zones as specified in Table 3.

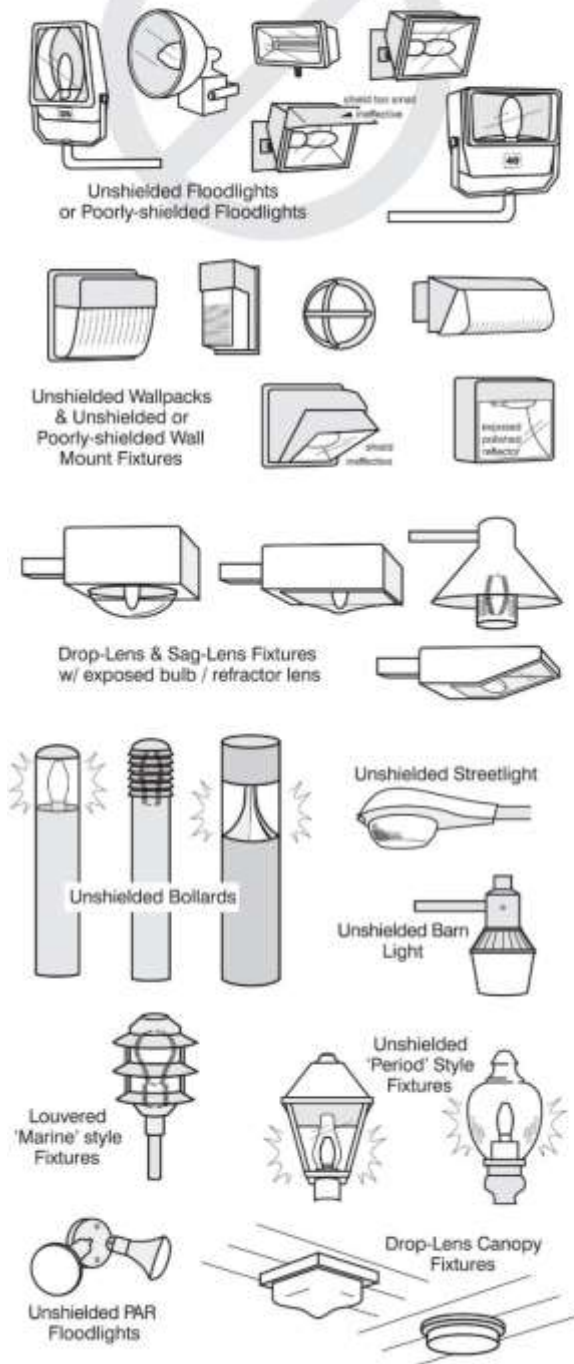
Table 3. Maximum Lumens and Required Shielding

Lighting Zone	Fully Shielded	Shielded	Partly Shielded	Unshielded
LZ 1	900 lm	400 lm	None permitted	None permitted
LZ 2	2600 lm	800 lm	None permitted	Low voltage landscape lighting
LZ 3	Lumens per acre calculation; all fixtures over 1000 lm shall be fully shielded		None permitted	None permitted

Examples of Acceptable / Unacceptable Lighting Fixtures

Unacceptable / Discouraged

Fixtures that produce glare and light trespass



Acceptable

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



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Figure 1. Examples of acceptable light fixtures and luminaires.



Figure 2. Examples of Full Cutoff and Fully Shielded Luminaires



Figure 3. Example of shielding around LED array.

Sec. 3.08.100 Lighting curfew

- (a) Nonresidential outdoor or exterior lighting shall not be energized more than thirty (30) minutes after closing or the completion of activities, unless reduced to 25% or less of the total light output allowed.
- (b) Motion sensor activation is allowed to cause the light to resume total outdoor light output but shall be reduced back to 25% or less of total outdoor light output allowed within five (5) minutes after activation motion has ceased.
- (c) Curfew shall be as follows:
 - (1) For LZ 1, the later of 10:00 P.M. (2200 hours) or close of business, except the Police Department shall determine hours of operation for security lighting in city parks;

(2) For LZ2, midnight (2400 hours), except motion sensor activation is allowed to cause the light to resume total outdoor light output but shall be turned off within 5 minutes after activation motion has ceased;

(3) For LZ3, the later of midnight (2400 hours) or the close of business

Sec. 3.08.101 Lighting plans

(a) A lighting plan shall be submitted with any commercial building permit application in which outdoor lighting is proposed or required and at a minimum provide the following information:

(1) The location of all existing and proposed lighting fixtures including their height above grade.

(2) A lumen calculation sheet to determine lumens per acre.

(3) The total square footage of the area to be illuminated.

(4) Specification sheets (photometrics) for all existing and proposed light fixtures.

(5) Acknowledgement that the applicant has received notification of the provisions of this article.

(b) Verification that the construction project requiring a building permit application has complied with the provisions of this article shall occur during the final inspection by the city Building Inspector.

(c)

Sec. 3.08.102 Height limits

(a) Pole-mounted lighting. Lighting mounted onto poles or any structures intended primarily for mounting of lighting shall not exceed a mounting height of 40% of the horizontal distance of the light pole from the property line, nor a maximum height according to Table 3, whichever is lower, with the following exceptions:

(1) Lighting for residential sports courts and pools shall not exceed fifteen (15) feet above the court or pool deck surface.

(2) Lights specifically for driveways, and then only at the intersection to the road providing access to the site, may be mounted at any distance relative to the property line, but may not exceed the mounting height listed in Table 4.

(3) Landscape lighting installed in a tree.

(b) Lights mounted to buildings or other structures. All lights mounted to buildings or other structures must be fully shielded. Lighting mounted onto buildings or other structures shall not exceed a mounting height greater than four (4) feet higher than the tallest part of the building or structure at the place where the lighting is installed, nor higher than 40% of the horizontal distance of the light from the property line, whichever is less, with the following exceptions:

(1) Lighting attached to single-family residences shall not exceed the height of the eave.

(2) Lighting for facades may be mounted at any height equal to or less than the total height of the structure being illuminated, regardless of horizontal distance to the property line.

(4) For buildings less than forty (40) feet to the property line, including canopies or overhangs onto the sidewalk or public right-of-way, luminaires may be mounted to the vertical facade or the underside of canopies at sixteen (16) feet or less.

(4) The top exterior deck of parking garages should be treated as normal pole-mounted lighting rather than as lights mounted to buildings.

(c) Mounting height or proximity to property lines may cause the luminous elements of a light fixture to require additional shielding.

Table 4 Maximum Lighting Mounting Height in Feet

Lighting Zone	Lighting for Driveways, Parking, and Transit	Lighting for Walkways, Plazas and Other Pedestrian Areas	All Other Lighting
LZ 1	25.0	12	4.5
LZ 2	12	8	4.5
LZ 3	37.5	18	15

Sec. 3.08.103 Lighting Under Canopies, Building Overhangs, or Roof Eaves

- (a) All outdoor light fixtures located under canopies, under building overhangs, or under roof eaves must conform to all provisions of this article.
- (b) Outdoor lighting fixtures located under canopies, under building overhangs, or under roof eaves where the center of the lamp is located at between five (5) feet and less than ten (10) feet from the nearest edge of the canopy or overhang are to be included in the lumens per net acre calculation or lumens cap, as applicable, as though they produced one one-quarter (1/4) of the lamp's rated lumen output.

Sec. 3.08.103. Lighting by Special Permit

To obtain such a special permit, applicants shall demonstrate that the proposed lighting installation:

- (1) Has sustained every reasonable effort to mitigate the effects of light on the environment and surrounding properties, supported by a signed statement describing the mitigation measures.
- (2) Employs lighting controls to reduce lighting at a Project Specific Curfew ("Curfew") time to be established in the Permit.

- (3) The city council shall review each special permit application. A permit may be granted if, upon review, the city council believes that the proposed lighting will not create unwarranted glare, sky glow, or light trespass.

Secs. 3.08.104–3.08.140 Reserved

Jonestown Dark Skies Committee

NAME	POSITION
Grossman, Mark	Co-Chair
O'Brien, Colleen	Co-Chair
Countermand, Meshell	Member
DaPrato, Ann Marie	Member
Ekrut, Darla	Member
Ellis, Lecia	Member
Gatannah, Laura	Member
Morley, David P.	Member
Johnson, Mark	Alternate
Johnson, Patti	Alternate
Morley, Anne	Alternate
Ann Yakimovicz	Advisor